

JOURNAL
OF THE
SESSION OF 1866-7.
OF
THE SENATE
OF THE
STATE OF ALABAMA,
HELD IN THE
CITY OF MONTGOMERY,

COMMENCING ON THE SECOND MONDAY IN NOVEMBER, 1866.

WITH AN INDEX,
PREPARED BY THE SECRETARY OF

WMEP

JOURNAL.

MONTGOMERY, ALABAMA, }
NOVEMBER 12th, 1866. }

Be it remembered, that this being the second Monday of November, the day fixed by law for the meeting of the General Assembly of the State of Alabama, the Senate convened in the Senate Chamber at the Capitol in the City of Montgomery, on this the 12th day of November, A. D., one thousand eight hundred and sixty-six, at the hour of 12 o'clock M.

Upon the call of the roll, the following Senators were present :

Messrs. President, Ashley, Boykin, Bell, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Jones, Lindsay, Montgomery, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Winston, Wood and Woodliff—23.

On motion by Mr. Edwards :

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is present, and that it is now ready to proceed to business.

On motion by Mr. Garrett :

Resolved, That the President appoint the several standing committees.

A message was received from the House of Representatives, by Mr. Turner Clanton, announcing that a quorum of the House was present, and that it was now ready to proceed to business.

Also announcing the adoption of the following resolution :

Resolved, That a committee of three be appointed on the part of the House to act with a like committee on the part of the Senate, to wait upon the Governor and inform him that a quorum of each House is present, and that they are now ready to receive any communication he may have to lay before them.

Messrs. McKinstry, Morse and Meadors are the committee on the part of the House.

The Senate concurred in the above resolution of the House, and Messrs. Garrett, Forney and Powell of Tuscaloosa were appointed the committee on the part of the Senate.

Mr. Garrett, from the committee appointed to wait upon the Governor, reported that the Governor would communicate to the two Houses of the General Assembly his annual message in ten minutes.

On motion by Mr. Powell of Macon :

Resolved, That the rules of the last session of the Senate be adopted for the government of the Senate at the present session, until otherwise ordered.

On motion by Mr. Garrett :

Resolved, That the privileges of the floor of the Senate be extended to newspaper reporters.

Mr. Foster offered the following resolution :

Resolved, That so much of the Governor's message as relates to the relief measures be referred to a joint committee of the two Houses, when raised with the concurrence of the House.

Which, on his motion, was laid on the table.

On motion by Mr. Garrett :

Leave of absence was granted to Mr. Moren.

The following message was received from the Governor, by his private Secretary, Mr. Benj. H. Screws :

EXECUTIVE DEPARTMENT, }
STATE OF ALABAMA, }
Montgomery, November 12, 1866. }

Gentlemen of the Senate and House of Representatives :

Your presence at the seat of Government in the capacity of Legislators is more than ordinarily welcome. Since the period of your adjournment, events have occurred which are of vast importance to our common country. Our own State has enjoyed the blessing of uninterrupted tranquillity. The authority of civil law has been fully exercised. A limited military force has remained in the State, but its interposition has been nowhere necessary to enforce obedience to law or to maintain the public peace. There has been no embarrassing collision between the military and civil authorities; nor need any be apprehended so long as this military department is controlled by such liberal, just and honorable officers as have been, and are now, in command. Our people have had much to discourage them, but they have not yielded to despondency. With bold perseverance and determined energy, they have struggled against their adversities, and have made very grati-

fiing advancements towards the recovery of lost prosperity. They have been happily exempt from those terrible pestilences which have sorely afflicted other communities. In all this we have much for which we should be profoundly thankful, and many inducements for continued exertions.

Our State finances are in as favorable condition as could be reasonably expected. Laws enacted at your last session gave a very large discretion to the Executive upon financial questions. The State Treasury was depleted ; and for the current fiscal year it could not be supplied by the ordinary mode of taxation. The suddenly changed condition of the country rendered it necessary to enact a new revenue law ; and therefore, for the present year we were compelled to resort to the State's credit. It is gratifying to be able to state that those laws have proved fully sufficient for the accomplishment of the purposes for which they were enacted.

For the general purposes of the State, authority was given for the issue of bonds to an amount not exceeding a million and a half of dollars. In order to supply the immediate wants of the Treasury, a law was passed providing for a temporary loan on the best attainable terms. Under the authority of this law, special loans of limited amounts were negotiated without difficulty. From time to time, as demands against the Treasury required, applications were made to the capitalists of this city and Mobile. The accommodations asked for were readily granted. For the timely and needful assistance thus extended to the State, we are much indebted to Messrs. Lehman, Durr & Co., of Montgomery, to the Southern Bank of Alabama, the Bank of Mobile, and the First National Bank of Mobile. These sums were necessarily obtained on short time ; but they were sufficient to secure the punctual payment of all drafts upon the Treasury. In this way the operations of the State were carried on until the thirtieth of June.

In the meantime, the proper steps had been taken to raise money upon the State bonds. Bonds were prepared, drawing eight per cent. interest, which was the maximum rate allowed by law. In the month of April last I visited New York for the purpose of conferring personally with the capitalists of that city in reference to the negotiation of the bonds, and upon other matters connected with the finances of the State. I found the bankers quite favorably disposed toward us. The fact that our State debt was small, was well known and duly appreciated. The effective manner in which our bonds are secured, was also recognized as giving them special value. But with all of these advantages in our favor, I could not see that

the bonds would command a par value if they were placed upon the market. They could, no doubt, have been readily disposed of at a handsome premium, if it had not been for the unfavorable political condition of the country.

Under all the circumstances, and after due deliberation, I deemed it best not to offer the bonds for regular sale. They drew a high rate of interest, and were well and amply secured. I was therefor unwilling, by selling them at a discount, to subject our people to the double disadvantage of increasing their public debt, and at the same time depreciating their public credit. I considered it better for the interest of the State, to procure funds by a process of hypothecation. This plan was found to be readily available. Accordingly, a loan was negotiated in the city of New York, with the highly respectable banking house of Winslow, Lanier & Co., for the sum of three hundred and fifty thousand dollars. For the payment of this amount, on the 1st of January, 1867, the obligation of the State was given for the principal and seven per cent. interest. A commission of one per cent. was also paid to the agent who negotiated the loan. As collateral security for the loan, bonds were deposited to the amount of four hundred and fifty thousand dollars. There is good reason for believing that by the first of January, or soon thereafter, our bonds can be sold in the market at par. In that event the loan can be paid without difficulty. Should it be desired, however, the day of payment could doubtless be postponed until such time as the State could meet it without embarrassing sacrifices. The temporary loans negotiated in Montgomery and Mobile, together with the interest thereon, have all been paid.

Under the act of December 8, 1863, the Commissioner and Trustee of the State borrowed, in gold, from the Bank of Mobile, the sum of fourteen thousand three hundred and eighty-three dollars. This was to complete the payment of the interest on our London bonds for July, 1864, and January, 1865. For this loan the State's bond was executed, which pledged a repayment in gold. On the 16th of August last the bond was redeemed by the Commissioner and Trustee. It required twenty-three thousand six hundred and sixty dollars, of the present currency, to pay the principal, with the interest and the premium on gold.

In September, 1865, the Commissioner and Trustee, on behalf of the Provisional Government of Alabama, negotiated in New York a temporary loan of forty thousand dollars, for which he hypothecated the bonds of North Carolina and Virginia, which were held by the State. The amount of bonds

thus pledged was one hundred and fifty-nine thousand dollars. This loan was promptly paid at maturity; and in order to raise money for the purpose, it was necessary to sell a portion of the hypothecated bonds. The amount of the North Carolina bonds owned by the State was eighteen thousand dollars. These were sold for sixty-three and a half cents in the dollar. Virginia bonds, to the amount of sixty-six thousand dollars, were disposed of for forty-six cents in the dollar. The State still owns seventy-five bonds of the State of Virginia, of one thousand dollars each.

THE PUBLIC DEBT.

Before the war the bonded debt of the State was three millions four hundred and forty-five thousand dollars. By the action of the Convention of September, 1865, this was the only bonded debt for which the State was held accountable. Of this amount, the sum of two millions one hundred and nine thousand dollars (\$2,109,000) is payable in the city of New York. The remainder, one million three hundred and thirty-six thousand dollars, (\$1,336,000) is payable in London. The interest upon all the bonds which make up this indebtedness is payable semi-annually. On the New York bonds the time for payment is the first of May and first of November; and on the London bonds, the first of January and first of July. The war necessarily prevented the regular payment of the New York interest. The last coupons redeemed there were those which fell due in November, 1861. The London interest was paid up to, and including the dividend for January, 1865.

In my last message I informed you that a proposition had been made by the holders of our bonds in London, to receive State bonds for the interest then unpaid, and that which would accrue up to the first of January, 1867. At the same time I expressed the opinion that our New York creditors would be willing to receive payment in the same manner: and an act was passed which authorized this mode of payment. The proposition was submitted to the holders of our bonds in New York, and it was cheerfully accepted. Bonds were accordingly prepared, in the appropriate form and proper amounts. The Commissioner and Trustee of the State, through the banking house of Duncan, Sherman & Co., of New York city, and at his office in Montgomery, has been and is now actively en-

gaged in having these bonds delivered to the parties entitled to receive them.

The amount of interest on the London bonds from the time of the last payment to the first of January next, is one hundred and sixty thousand seven hundred and forty dollars (\$160,740.) To this, however, is to be added the difference of exchange between our currency and sterling, the rate of which can not now be stated with accuracy. The interest on the New York bonds from the 1st of November, 1861, to November, 1866, is five hundred and twenty-seven thousand two hundred and fifty dollars (\$527,250.) This makes the total amount of interest to be funded, six hundred and eighty-seven thousand nine hundred and ninety dollars (\$687,990.) The interest thus funded makes, of course, so much of an addition to our former bonded debt. This funding of interest includes all that becomes due in the year 1866; and hence the first payments to be made from the State Treasury will be the dividends for May and July, 1867.

The New York bonds, including the funded interest, amount in the aggregate to two millions six hundred and thirty-six thousand two hundred and fifty dollars (\$2,636,250.) The annual interest on this sum, at five per cent., is one hundred and thirty-one thousand eight hundred and twelve dollars (\$131,812,) which makes the semi-annual payment for the first of May next, sixty-five thousand nine hundred and six dollars (\$65,906.)

Of the London bonds, six hundred and forty-eight thousand dollars (\$648,000) bear interest at the rate of five per cent., and six hundred and eighty-eight thousand dollars (\$688,000) draw six per cent. The funded interest added to the five per cent. bonds makes seven hundred and twelve thousand eight hundred dollars (\$712,800.) By the same means the six per cent. bonds amount to seven hundred and seventy thousand five hundred and sixty dollars (\$770,560.) This makes an aggregate of one million four hundred and eighty-three thousand three hundred and sixty dollars (\$1,483,360) as the amount of the London debt. Upon this amount, the annual interest (exclusive of the difference of exchange) is eighty-one thousand eight hundred and seventy-three dollars (\$81,873,) which shows forty thousand nine hundred and thirty-six dollars (\$40,936) as the amount to be paid on the first of July next. It will thus be seen that the aggregate of the interest which will be payable in May and July, 1867, is one hundred and five thousand five hundred and eighty-six dollars (\$1055,586.)

By an act of your last session, it was provided that the

bonds which became due in 1863 and 1865, and payable in New York, be extended for a period not exceeding twenty years. The necessary bonds for this purpose have been duly prepared under the direction of the Commissioner and Trustee of the State. The old bonds are being rapidly taken up, and extension bonds substituted in their place.

The five per cent. London bonds were issued in 1846. They were to run for twenty years, the State reserving the right to extend them at pleasure. In the present financial condition of the State, I think that we should avail ourselves of the right to extend the period for the payment of these bonds. I therefore recommend that an act be passed authorizing the extension of the period for their redemption, the time not to extend twenty years.

Although the eight per cent. bonds authorized by the act of your last session have not yet been regularly offered for sale in the money market, yet a limited number of them has been disposed of. While endeavoring to obtain supplies for the destitute of our State, I found an opportunity of purchasing corn and paying for it in these bonds, at par. In this way they were used in St. Louis to the amount of forty-one thousand five hundred dollars (\$41,500,) and in Cairo to the amount of four thousand five hundred dollars (\$4,500.) For the transportation of these supplies, and others contributed by relief associations and private individuals, the Memphis and Charleston railroad received bonds in payment. The amount paid to that road is two thousand five hundred dollars (\$2,500.) The Insane Hospital at Tuscaloosa received five thousand dollars of these bonds, as a part of the twenty-five thousand dollars which the recent State Convention directed to be advanced to that institution. This makes an aggregate of fifty-three thousand five hundred dollars (\$53,500) of the new bonds now drawing interest, the semi-annual dividend upon which is to be paid in New York on the first of January next.

We shall have to depend upon the sale of these eight per cent. bonds for the payment of the loan recently negotiated in New York. The amount of that loan, including the interest and commission, will be three hundred and sixty-three thousand five hundred and seventy-two dollars and twenty-one cents, (\$363,572 21.) Assuming that the bonds will be sold at par, our public debt will be increased to that amount. Hence, the bonded debt of the State may be thus recapitulated :

| | |
|---|----------------|
| Original bonded debt, partly extended..... | \$3,445,000 00 |
| Amount of funded interest on the 5 and 6 per cent bonds..... | 687,990 00 |
| Eight per cent bonds sold for supplies and transportation..... | 48,500 00 |
| Eight per cent bonds advanced to Insane Hospital..... | 5,000 00 |
| | <hr/> |
| Total present bonded debt..... | \$4,186,490 00 |
| To which add amount of loan due Winslow, Lanier & Co., including interest and commission..... | 363,572 22 |
| | <hr/> |
| Total..... | \$4,990,062 22 |
| Should the U. S. agree to accept the 7 per cent bonds for the real estate tax, amount thereof would be added..... | 529,333 33 |
| | <hr/> |

This would make the total bonded debt of the State.....\$5,079,395 55

From all this, I think that the financial condition of Alabama, considering her vast resources, entitles her to as much public confidence as is enjoyed by any State in the Union.

STATE REVENUE LAW

The condition of our affairs rendered it difficult during the last session of the General Assembly, to adopt a system of taxation which would yield a sufficient income to defray the expenses of the government without being onerous upon the people. Every law having this object in view, was, in a great measure, experimental. It is not at all remarkable, therefore, that the revenue laws approved on the 22d of February last should be only partially successful in accomplishing this purpose, or that they should need revision. Their defects have been demonstrated; but they may be easily remedied. I deem it my duty to indicate some of the imperfections alluded to, together with what appears to be suitable remedies.

That part of the law which levied a tax upon liquors distilled or brought into the State for sale, very naturally commended itself to popular approval. From that source a large amount of revenue was expected. Unfortunately, this expectation has been disappointed. The law failed to provide the means to enforce the prompt and speedy collection of the tax. It imposes an additional tax upon the dealer for neglecting to

perform his duty, but provides no method for its collection. The law punishes a dealer for rendering a false return of the number of gallons offered for sale, but omits to fix a penalty for failing to make any return at all. I suggest, therefore, that while the rate of taxation may remain unchanged, the omission, from any cause whatever, to make a return of the quantity of liquor received for sale, be made an indictable offense ; as well as the making of a false one. The tax collector should be authorized to seize and sell, not only the liquor, but any property necessary to raise the amount of taxes due upon it. This part of the revenue law should be amended, because liquors can be taxed with but little inconvenience to the people. Revenue not derived from this source, must be obtained by taxing other property. This might be much more burdensome and therefore more objectionable.

Sections 3, 4, 75, 76, 77, 79, 86, 85 and 88 of the revenue law, require the judge of probate of each county to perform important duties ; but no provision is made for the performance of them, when the officer elected is, from any cause whatever, prevented from the discharge of his proper functions. This omission of the law should be at once supplied.

UNITED STATES LAND TAX.

By a law enacted at your last session, the Governor was authorized and empowered to assume, on the part of the State, the payment of Alabama's portion of the tax on real estate, which was assessed by the act of Congress of August 5, 1861. While in Washington, in April last, I conferred fully with the authorities upon this subject. The President, the Secretary of the Treasury, and several members of Congress, whom I consulted, all manifested a liberal disposition in regard to this tax.

I addressed an official communication to the Secretary of the Treasury, formally proposing to assume the tax, and offering our State bonds in payment thereof. Under the existing laws, the Secretary was not authorized to accede to the proposal. My communication, however, was favorably indorsed and transmitted to Congress. No law was passed which gave the particular authority asked for ; but a considerable latitude of discretion was conferred upon the Secretary of the Treasury, as to the time within which the tax is to be collected. In exercising the discretion thus granted, the Secretary has ordered that the collection of the tax be suspended until the 1st of January, 1868. I shall continue to use all proper efforts to

secure the payment in State bonds; but if these efforts should prove unsuccessful, our people will have the advantage of another year for the improvement of their condition. It is hoped that within that time, they will so far recover from depression as to be able to pay this and all other taxes, without serious inconvenience. There is reason to believe that the addition of fifty per cent., which is prescribed in the act of Congress as a penalty for the non-payment of this tax within a specified period, will not be executed.

COLLECTION OF DEBTS.

The hardships and depressions of the times bear with peculiar force upon the debtor portion of our citizens. They, as a class, are deserving of every measure of relief which can be afforded them, consistent with the constitutional rights of creditors. At the close of the war, there were few debtors who were able to meet their obligations. Their condition is but little better now, as the present year has been exceedingly unfavorable for crops, and for business of all kinds. But notwithstanding all this, a most extraordinary number of suits for debt have been instituted. They are so numerous, in fact, as to produce wide-spread discontent, and much distress; and if carried to the point of sales under execution, large numbers of our very best and most energetic citizens will be utterly and hopelessly ruined.

In view of all this, it becomes a high duty to inquire what measure of relief can be granted? It must be confessed, however, that the inquiry involves many serious difficulties. Creditors have rights solemnly guaranteed by the Constitution. Of these rights they can not be deprived by any legislative enactment. The obligation of their contracts is not only irrevocably secure, but they are entitled to full and complete legal process for its enforcement.

Still, a very considerable discretion is left to the law-making power, in regard to enforced collections of debts. All judicial proceedings may be regulated by statute, and in prescribing the manner in which suits for debt shall be commenced and conducted, much may be done to protect debtors against oppressive exactions and ruinous sacrifices. But even in providing relief in this way, it requires a nice discrimination to frame a law that will stand that rigid judicial test which it is the duty of the courts to apply to every statute.

Nothing is more definitely settled than that a State has the right to regulate the proceedings of its own courts in regard

to the enforcement of contracts. Remedies for this purpose may be made applicable to past contracts as well as those of the future. A State may, at pleasure, restrict or extend the period within which claims shall be barred by the statute of limitations. It may also exempt from execution and sale any description of property which it may deem necessary for the protection and pursuits of its citizens, and for the well-being of society. But all laws relating to remedies by judicial process must be in conformity to the sacred obligation of contracts. The difficulty is to determine how far statutory remedies may be carried without infringing upon rights that are guaranteed by the Constitution.

Under all these circumstances, I hesitate in making any specific recommendation as to what form of relief should be adopted. It may not be improper, however, to submit a few suggestions, which the superior wisdom of the Legislature will estimate at their proper value.

It was earnestly hoped that the act of last session "To regulate judicial proceedings," would give to the people all necessary protection against harrassing suits for debt. The act prescribed a mode for conducting such suits which delayed the rendition and enforcement of judgments for a period within which it was reasonably supposed the people would somewhat recover from the depression which rested upon them at the time the law was enacted. This feature of the act, however, seems to have stimulated creditors to commence suits, so as to secure to themselves all the advantages which the law could afford. In the meantime the constitutionality of the act was tested in the Supreme Court. A decision was given by that authoritative tribunal; and the construction placed upon the law was such as to greatly diminish the time for carrying judgments into effect. It must be confessed, therefore, that the law has not accomplished all that was hoped for.

As before observed, the right of a State Legislature to exempt certain kinds of property from sale for debt, seems to be undoubted. In the enactment of laws of this character, the Legislature is to be the judge of the character and amount of property to be excepted. It may be that much relief to debtors might be afforded by a law increasing the list and enlarging the amount of exempted property.

In my former message, I suggested the propriety of a law under which a creditor might collect annually the interest upon his claim, and a certain per centum of the principal. From subsequent reflection and observation, I have become more firmly convinced of the justice of such a law. It seems to be

an equitable compromise between the just demands of the creditor and the inability of the debtor to pay the entire amount of his indebtedness. I think that a law of this general character might be so framed as to be free from constitutional objection. It might be provided, for instance, that, by agreement between a debtor and creditor, the debtor would confess judgment, and the creditor might be allowed to collect annually his interest and one-fourth or one-third of the principal ; while the judgment would operate as a lien upon the effects of the debtor against future indebtedness.

Under our laws as they now stand, and in the present condition of the country, property is being sold under execution at prices so low as to be ruinous to debtors. Instances are known where valuable and well improved lands have been sold at sheriff's sale for less than one-fifth of their intrinsic value. In this we see ample reasons for a careful inquiry as to whether such ruinous sacrifices could not be remedied by a law regulating the sale of property for debts. But here again we are liable to encounter constitutional difficulties.

Some years ago a law was passed in Illinois, providing that when an execution was levied upon land, a valuation should be put upon it ; and it was not to be sold unless it brought two-thirds of its appraised value. A similar law was enacted in Ohio, New York, and perhaps other States. But the constitutionality of this law was tested in two separate cases before the Supreme Court of the United States. In both cases the court decided against the validity of the law, so far, at least, as it related to past contracts. (See *Bronson vs. Kinzie*, 1st Howard, p. 113, and *McCracken vs. Hayward*, 2d Howard, p. 609.)

This law and its exposition by the Supreme Court, are thus referred to in the hope that they may be carefully examined, and that some constitutional principle can be found which will authorize the enactment of a protective law of some character against the useless and impoverishing sacrifice of property.

There is another question which seems to me to be well worthy of consideration, in connection with compulsory payment of debts. Under our laws as they now stand, a heartless creditor may obtain a judgment, and thus secure a lien upon the property of the debtor to the exclusion of all other creditors. There may be a score of the creditors thus excluded, all of whom may be more necessitous than the one who has brought suit. But from considerations of common humanity, they will not ruthlessly fall upon and crush the struggling debtor.

Now, it is beyond dispute, that law, and law alone, gives validity to liens under judgments and executions. It is equally clear that these liens are subjects of legislative cognizance. It may, therefore, be well to inquire, whether some law could not be devised which would take from the pitiless creditor his present inducement to bring suit. To such a creditor it is a great temptation to be able to acquire a lien upon all his debtor's property to the exclusion of more humane, if not more meritorious creditors, who, in view of our common distress, decline to bring suit.

We have now upon the statute book a law which prohibits debtors from giving preference to creditors by assignment, however meritorious the preferred demand may be. And yet it is in the power of a creditor, who may be one of a hundred, to obtain, by his judgment, a lien on all which the law holds subject to the payment of debts, and thus as effectually accomplishes an exclusion of all other creditors, as could be done by a preferred assignment. It seems to me that it would be as competent for the Legislature to prohibit a preferred and exclusive lien under a judgment, as it would be to prohibit a preference in assignment.

The several plans of relief here referred to are merely mentioned, as before stated, in the form of suggestions. They are not offered as mature opinions. It is earnestly hoped that, in your wisdom, you may be enabled to devise means by which our good citizens will be saved from oppression and ruin. Should you fail to accomplish this desirable object, no one can conjecture the amount of disaster and suffering which will inevitably befall a large and worthy class of citizens who are already struggling against most discouraging adversity.

THE BANKS.

By the legislation of the last session, the chartered banks were allowed the privilege of reducing and consolidating their stock, at the discretion of their proper officers. From official information received at this department, it appears that but two of the banks have availed themselves of the privilege thus conferred. These are the Bank of Mobile and the Southern Bank of Alabama. By a resolution of the Board of Directors of the Bank of Mobile, adopted on the 2d day of February, 1866, the capital stock was reduced from a million and a half of dollars, to seven hundred and fifty thousand dollars. The stock of the Southern Bank of Alabama has been reduced from a million of dollars to two hundred and fifty thousand By

the terms of the law under which this reduction was made, the bonus payable to the State is correspondingly diminished.

The bonus due the State from the various banks has not been paid for the last two years. These institutions, within that time, have done little or no business. During the war their capital was drawn upon by the State, to the extent of more than half of their capital stock; and they were required to receive in consideration therefor, bonds of the State. By the action of the Convention of September, 1865, the State is relieved from all liability on account of these bonds. Their loss therefore fell directly upon the banks, and left them in a crippled condition, from which they have not yet recovered, and in consequence of which, it is probable that none of them, except the two mentioned, whose capital stock has been reduced, will again be able to resume business.

Under all the circumstances, I think that it would be nothing but justice that the banks should be relieved from the payment of the bonus now due; and respectfully recommend that a law be passed to that effect.

THE PENITENTIARY.

Since the period of your last adjournment, there has been a large addition to the number of convicts in the penitentiary. At the date of my former message the number was forty-one. From the report of the Inspectors, a copy of which is herewith submitted, it appears that on the first day of October last there were one hundred and fifty-eight. Of this number, thirty-eight are white, and one hundred and twenty-one colored. Nine of the colored prisoners are females. In a supplemental report, made by the warden of the penitentiary, dated November 6th, it is shown that the number of convicts has increased to two hundred.

The large proportion of colored prisoners over whites is easily accounted for. The principal portion of colored convicts have been sent from cities and large towns. To those places the negroes, upon becoming free, flocked in large numbers. They were lured thither by the false notion that they could there enjoy a life of ease and idleness. Too many of them were deluded into the belief that freedom necessarily carried with it an exemption from that kind of labor to which they had been accustomed as slaves. Most of the negroes who thus changed their location had been ordinary field laborers. They were wholly unsuited for city life. They were unskilled in any of the mechanic arts; knew nothing of trade; and

there was not an adequate demand for that sort of common labor which they were capable of performing. As a natural consequence, there was much demoralization and vagabondism, among them; some of them became vagrants, and not a few resorted to larcenies. Numerous convictions for these offenses necessarily followed.

By a provision contained in the new Penal Code, adopted at your last session, the Governor was authorized to lease the penitentiary for the term of six years, if, in his judgment, such lease should be conducive to the public welfare. Being fully satisfied that it was greatly to the interest of the State to lease the prison, I advertised for proposals in the manner prescribed by law. When the time arrived for opening and considering bids, it was found that no proposal was submitted which did not require the privilege of employing the convicts outside of the prison, and at any discretionary distance from it. Upon conferring with bidders, it was ascertained that no lease could be effected upon terms which I considered acceptable, unless the prisoners could be thus employed. But upon a careful examination of the law, I was not satisfied that it was the intention of the General Assembly to authorize the removal of the convicts to remote and indefinite distances from Wetumpka. In section 341 of the new Penal Code, reference is made to the employment of convicts "outside the prison walls." But this language, taken in connection with some of the sections preceding and following it, would seem, by a strict construction, to apply to temporary labor within the immediate vicinity of the penitentiary.

It was highly important, however, that the establishment be leased, if practicable, upon such terms as would relieve the State from the heavy expense which was indispensably necessary to support it. Indeed, the necessity for so doing was so urgent that I deemed it proper to lease it upon the most advantageous terms. A contract was accordingly made with Messrs. Smith & McMillan, as principals, and Messrs. Thomas Peters, A. K. Shepherd, and Samuel Tate, as sureties, for a lease, which, however, is contingent as to duration. By the terms of the contract, the lessees agree to take the penitentiary, and defray all its expenses, in consideration of which they are to receive all the profits arising from the labor of the convicts. But they reserve the right to relinquish the lease at the close of the present session of the General Assembly, if they are not permitted to employ the prisoners at distant points, to work on railroads, or in iron mines, or coal fields. Without this reservation it was found impracticable to accom-

plish a lease. If authority be given to work the convicts as stated, the lease is to run for six years.

Under authority of the 4th section of the "act to make appropriations for the fiscal year, ending on the 30th day of September, 1866," I agreed, on the part of the State, to advance the sum of fifteen thousand dollars, in the form of a loan to the lessees. This amount, with interest, is to be repaid to the State, at the end of six years, if the lease be continued for that time; or whenever the lease is surrendered, if that should be done. For the return of the sum thus advanced, full and ample security is given. The bond for the lease is also sufficient to insure a compliance with all the engagements contracted.

It is proper to mention, that I obtained the official opinion of the Attorney General as to the construction of the law relative to employing convicts outside the walls of the prison. The opinion of that officer is, that under the law as at now stands, the Executive would not be justified in granting to the lessees the privilege of carrying the prisoners to distant points.

A large class of the convicts now confined in the penitentiary cannot be profitably employed within the prison. But this labor might be made valuable and remunerative in mines, on railroads, and other works of internal improvements. I therefore recommend that authority be given for their employment in this way. There are many reasons which I regard as conclusive, in favor of adopting this mode of working such convicts as cannot be advantageously employed within the prison walls.

One important reason is the necessity of relieving the State from a burdensome expense. Without it the penitentiary will be thrown back upon the State. Again, the convicts, by being employed in the manner recommended, may be made not only self-sustaining, but will contribute materially to the development of our mineral and other resources. While thus employed, they might be subjected to such guards and restraints as would not soften or mitigate the punishment which the law imposes on them as offenders. Their labor and treatment could be so regulated as to answer all the purposes contemplated by those portions of our constitution and laws which authorize the imposition of involuntary servitude as a punishment for crime.

I refer you to the accompanying reports of the Wardens and Inspectors of the Penitentiary, as containing much valuable information, and many instructive suggestions on this subject. From these reports, it appears that many of the convicts, particularly of the colored race, do not regard their confinement

as any punishment at all. The indolent life which they lead, is rather enjoyed as a privilege. To them the penitentiary has no terrors. They feel none of its degradation. But such persons would keenly feel the severe hardships of enforced labor in iron and coal mines.

There is still another reason, based upon considerations of State economy, in favor of the proposed change in the labor system of the penitentiary. The prison, in its present condition, will accommodate only two hundred and eight convicts; being just eight more than are now confined. The two hundred convicts already in the prison, have all been sentenced within a period of but little over one year; and hence it is plain that if the present system be continued, there will have to be an addition to the number of prison cells, and other corresponding improvements. The dimensions of the wall of the penitentiary are barely sufficient for the interior arrangements which are essential for the present maximum of prisoners. Therefore, any preparation which may be made for an additional number of convicts, would involve the necessity of enlarging the area inclosed by the wall; and in order to extend the wall, the State would be compelled to purchase more land.

All this would require an expenditure of an amount of money which would be extremely embarrassing to the State, in its present financial condition. Under the proposed plan of working the convicts, the penitentiary system would not be abandoned. Among the prisoners now confined, there are several mechanics, whose labor within the prison walls might be made profitable. There would be no inducements for carrying to a distance any prisoners except unskilled laborers, who are physically capable of enduring the severest hardships, and most arduous toil.

THE PARIS UNIVERSAL EXPOSITION.

The United States Government has requested that the State Governments will aid in securing a proper representation of the resources of our common country, at the Universal Exposition, to be opened at Paris, in April, 1867. Being convinced that much good might result to our State by having her mineral, manufacturing and agricultural resources properly represented, I published a proclamation in August last, inviting our people to prepare specimens to be transmitted for exhibition. I also appointed Col. Joseph Hodgson, of this city, an agent, to receive such specimens as might be furnished, and forward them to the United States agent, in New York. The State

agent prepared and caused to be circulated a pamphlet giving, in a concise form, much valuable information as to the manner of preparing samples, and mentioning those that were most desirable. Much interest upon the subject has been excited, and there is every probability that a large number of varied specimens will be furnished. Our State abounds in minerals, many of which are of superior quality; and our growth and prosperity cannot but be greatly accelerated by having them properly advertised to the world.

The United States Government will furnish transportation for the products that may be forwarded, and possibly for an agent from each State. The contributions from this State, I think, will fully justify the sending of an agent to superintend and explain them at the Exposition.

There is no law authorizing any compensation to the State agent. Col. Hodgson has devoted much time and labor to the business of his agency; and it is respectfully submitted that for the services thus rendered, he should be reasonably compensated. I also recommend the appropriation of such a sum as in your judgment may be deemed necessary, to secure the attendance of an agent for the State, at the Paris Exposition. Should an appropriation for the purpose be made, the strictest economy will be observed in its expenditure.

TAX ON COTTON.

In the revenue law enacted at the last session of Congress, a specific tax of three cents per pound is assessed upon raw cotton. This tax is so unjust and so oppressive in its operations upon the productive labor of the cotton States, that I think a memorial should be sent to Congress in favor of its repeal, or at least, its modification.

The oppressive injustice of this extraordinary tax may be easily illustrated. Upon a bale of cotton weighing five hundred pounds, the tax is fifteen dollars. In addition to this, the cotton grower has to pay the ordinary income tax of five per cent. Assuming the cotton is worth thirty cents per pound, the gross value of the bale is one hundred and fifty dollars. In computing the cotton as income, the expense of producing the article, is of course, deducted. Supposing this expense to be one-third of the gross value of the cotton in the market, the income would be reckoned at one hundred dollars, which would involve a tax of five hundred dollars. This, added to the specific tax, makes an aggregate of twenty dollars as the amount assessed upon a single bale.

The illustration here given is not at all exaggerated. It is a plain statement of the practical operations of the law. Such an enormous tax upon agricultural labor was perhaps never before assessed by any government. Even at the present high price of cotton, it is actually a tax of twenty per cent. upon the profits of the producer. With a declension in the price of cotton, there would, as a matter of course, be a corresponding increase in the per centum of the taxation. But at the rate of twenty per cent. this tax is more than four times as heavy as is levied upon any other branch of industry. Should Alabama produce this year no more than two hundred and fifty thousand bales, the United States tax upon the crop will amount to five millions of dollars.

But there is still another very extraordinary feature in the law respecting this specific tax. Upon all cotton fabrics or yarns, manufactured for export, the manufacturer receives from the United States treasury a gratuity of three cents per pound. It is thus in the power of the manufacturer to draw from the treasury every dollar paid into it from this specific tax. Therefore, it cannot be pleaded in extenuation of this oppressive burden, that it is demanded by the necessities of the treasury. It is nothing more nor less than a bonus offered for the manufacture of cotton goods for exportation. It is a munificent bounty ruthlessly wrung from the hard earnings of the toiling freedmen, and given to those who are prospering in business which already yields enormous profits, and who, in many cases, are in the full enjoyment of independent fortunes.

This specific tax, viewed in any light, is a direct burden upon the labor which produces cotton. Cotton lands are cultivated almost exclusively by freedmen; and hence the pressure is upon them. Arguments are not necessary to demonstrate the correctness of this proposition. The effect is direct and immediate upon such freedmen as farm on their own account; but a no less injurious result is indirectly wrought upon those who labor as the employees of others.

We have no voice in Congress. This enormous and burdensome tax was assessed upon us when we were denied representation. We have now no means of making known to Congress the oppressive, if not ruinous, effects of this law, except in the form of a petition for redress of grievances. This State lost five hundred millions of dollars by the war. We are, therefore, comparatively poor, so far as concern actual, available resources. We are struggling to recuperate our fortunes. Many adversities frown upon us. Our condition is bad enough at best. We are not permitted to participate

either in the making or in the administration of Federal laws. But to all of those laws we yield a patient and an honest obedience. And surely under all these circumstances, the national legislature will give a reasonable heed to our petition. If by no other consideration, the promptings of self-interest should induce them to remove this crushing weight from us. A law which paralyzes our energies, and represses the development of our resources, is injurious to the whole country. We may, therefore, appeal to the common interest of the entire nation as demanding a repeal of this inexcusable discrimination against the productive industry of the cotton growing States.

INSANE HOSPITAL.

From the most reliable data at hand, there are within the State of Alabama at least seven hundred persons who are classed as insane. It is a solemn duty, imperatively resting upon every State, to provide all proper means for the care, treatment, and, if possible, the cure of this unfortunate class. Our State has made very liberal and very humane provision in this regard. The Alabama Hospital for the insane, established at an expense of some \$300,000, is now in efficient and useful operation. There are at this time seventy-five patients in the institution; and it is well prepared to receive and take proper care of many more. Indeed, the establishment, as now conducted, will afford accommodations for at least three hundred and fifty persons, or about one-half of those in the State who are afflicted with mental imbecility.

The Insane Hospital at Tuscaloosa is now under charge of Dr. P. Bryce, a highly competent and very efficient officer. The rules and regulations of the establishment are such as to insure all the comfort which mentally infirm persons can enjoy. Nor is it to bodily care alone that these rules apply. Every effort is made, in the treatment of patients, to improve their intellectual condition; and, if possible, restore them to full mental health.

The hospital is open to all classes of patients. Those that are able to pay are charged at a moderate rate—as moderate as can be found at any similar institution in the United States. For those who are unable to pay, full provision is made. Under the laws governing the institution, all the expenses of such persons are paid, one-fourth being borne by the State, and the remaining three-fourths by the county from which the patient comes. I think that the usefulness of the

Hospital would be increased by such a modification of the law as would diminish the proportion of the expense which counties are required to pay for the indigent insane.

The benefits of this Hospital do not consist in the mere fact of its being an asylum wherein the unfortunate inmates may find security against harm to themselves or others. One of the chief objects of the institution is to administer such treatment to the patients as will contribute to a restoration of their reason. The question of improving and curing diseased minds has of late years engaged the earnest attention of the medical profession. This is particularly the case with many physicians connected with public institutions for the insane, and some highly important and satisfactory results have been accomplished. A recently published report of the operations of the Pennsylvania Insane Hospital contains some valuable statistics upon this subject. That institution is under the charge of Dr. Thomas S. Kirkbride, who, from his eminent professional abilities and long experience, is regarded as high authority upon the subject of treatment for the insane. In his report he shows that many effective cures have been accomplished upon persons whose insanity was deemed hopeless beyond remedy. He is of the opinion that, if prompt and timely attention be given, a large majority of cases may be thoroughly cured, where the mental disorder is not hereditary. Facts such as these appeal strongly to relatives and friends to send persons of this class to the State Hospital for treatment.

I consider it important that provision be made for insane colored persons. This can be easily done in the Hospital at Tuscaloosa. The plan of the building is such that it can be readily and conveniently divided into three distinct apartments, one of which might be appropriated to the freedmen. I commend that proper authority be given for this purpose.

THE FREEDMEN.

The experience of the past year is of much value in enabling us to form a correct conclusion as to the character and conduct of the negroes in their new condition. The laws enacted for the protection of their persons and property as freed people, have, in the main operated satisfactorily. Under our laws as modified since the slaves were emancipated, the freedmen have made contracts; and as a general thing, so far as this Department is advised, the contracts have been faithfully observed on both sides. There has been little, if any, difficulty in regard to engagements for labor on farms and plantations. Where the

freedmen have pursued the occupation to which they have been accustomed, they have obtained ready employment and prospered, as well at least, as could be expected from the unfavorable season.

Those, however, who have lurked about towns and cities have not done so well. This is particularly the case with such as have left plantations. This class has suffered greatly by the change of homes. They know nothing of trade; and of that kind of plain, unskilled labor which alone they could perform, there is not a sufficient demand to enable them to make a support. The natural consequences have been, unthriftiness, much idleness and suffering; some vagrancy and no little crime, as well as much sickness and mortality.

For this disposition to flock to towns and cities, there is no legal remedy. The only agency which can be employed to prevent it, is moral suasion. All proper means should be used to convince the freedmen in the country of the fallacy of the idea that a city life is one of ease and pleasure. Those that have left plantations, should, if possible, be convinced that it is to their interest to return to them. There they can make a comfortable and an independent living, and at the same time be useful to the community.

In reference to contracts with freedmen, there have been some exceptional instances of bad faith, which are strongly suggestive of the necessity of legal remedy. These exceptions are where employers of freedmen have, by captious unreasonableness, sought and even created pretexts for finding fault with their employees, and discharging them without pay, alleging a violation of contract on the part of the freedmen. The only remedy left the freedman is a suit for his wages, and this is so tardy as to be scarcely worth pursuing.

For such injustice as this, a remedy should be provided. It could be found in a law which would authorize a summary and an effective mode of enforcing payment for labor of the character under consideration. I respectfully invite your attention to this subject.

We have a high moral duty to perform toward the freedmen. Their freedom was accomplished without any agency of their own. They are still among us, and are dependent upon the superior intelligence of the whites for that advice which is necessary to guide them in the paths of rectitude and industry. Let them be convinced that we are their friends, and that we feel an interest in their prosperity and welfare. They should be assured of our firm purpose to give them all their legal rights. We should advise them to let politics alone;

and they should be especially taught the utter absurdity of expecting or aspiring to a condition of social equality with the white race. To do so, would be to struggle against a palpable and an inexorable decree of Providence.

The right to testify in courts in certain cases, was extended to freedmen at your last session. The law authorizing this kind of testimony was necessarily experimental ; but experience has demonstrated that it is productive of good results. Colored persons are permitted to testify in cases where they are interested, and where there is every inducement for false swearing which may be reasonably supposed to influence this class of witnesses. But even with these strong temptations to commit perjury, the testimony of freedmen has been found valuable in the ascertainment of truth. With this experience before us, I think that the public good would be promoted by removing all restraints upon the competency of freedmen to testify in our courts. Their evidence, like that of all other witnesses, would be carefully weighed by the courts and juries, and estimated at its proper value.

Now that the negroes are free, they are required to pay taxes. This is right and proper. But they pay very little beyond the poll or capitation tax. The education of colored children involves a question to which we should not be altogether indifferent. It might be the true policy to set apart the revenue derived from taxes upon freedmen, or a portion of it, to be applied to the education of their children, and the support of the indigent, aged and infirm of that population. This question, however, is respectfully submitted to your superior wisdom and discretion.

SUPPLIES FOR THE DESTITUTE.

The amount of destitution in our State has been, and still is, not only distressing, but absolutely appalling. The Federal Government has been bountiful in its supplies ; charitable associations and private individuals have been liberal in their contributions ; and the State has done its utmost ; but with all this there has not been a sufficiency furnished to meet the necessities of our destitute population.

The Federal Government commenced the distribution of supplies in November, 1865. Up to the thirtieth of September last, a period of eleven months, the aggregate number of rations issued was three millions seven hundred and eighty-nine thousand, seven hundred and eighty-eight, (3,789,788.) These figures are taken from official statistics, which have been

reported to this Department. They show an average distribution of about eleven thousand five hundred rations per month. Of the persons who have actually received supplies, the average per month is twenty-one thousand seven hundred, (21,700.) The number of white recipients exceed those of the blacks in the proportion of more than two to one. In addition to the supplies thus furnished, liberal contributions have been made in money and provisions, by private individuals and relief associations in various States. The assistance thus kindly extended, has been a Godsend to our suffering people.

By the act of February 23d, 1866, the Executive was authorized to issue bonds to the amount of five hundred thousand dollars, drawing six per cent. interest, and dispose of them for the benefit of indigent families of the State. The object sought to be accomplished by the act was eminently praiseworthy; and I employed every effort in my power to attain it. But I was wholly unsuccessful. The bonds were found to be entirely unavailable. I was unable to dispose of them for either money or provisions upon any terms that were at all acceptable, even for the urgent purpose of supplying the destitute. The chief objection urged against them was that insufficient provision was made for their redemption.

In consequence of the inability to use these bonds, it was not in the power of the State to extend that amount of relief to our suffering people which was desired. In some counties the destitution was so extreme, that I authorized the Judges of Probate, in conjunction with two other reliable citizens, to purchase corn on the State's credit, pledging payment on the first of January next. The amount authorized for each of such counties was one thousand bushels. In doing this, I entertained no doubt that the arrangement would be sanctioned by the Legislature; and that proper authority would be given for paying the indebtedness thus incurred. In addition to this, I found it necessary to draw funds from the treasury to pay for the transportation, and other incidental expenses.

In the month of June last, I made a visit to the Northwest, with a view, if possible, of purchasing supplies on State account. I there learned, as before observed, that the six per cent. bonds could be used for the purpose. In view, therefore, of the necessity of the case, I deemed it a duty to appropriate a portion of them to the purchase of supplies. Accordingly, a lot of corn was purchased at a low rate, and the banks of St. Louis purchased readily, and at par, a sufficient amount

of bonds to pay therefor. The highly respectable firm of Carr & Luke made the purchases, and shipped the corn free of charge. The amount of bonds used in this way, including payment for transportation, was forty-eight thousand five hundred dollars. It is hoped that this disposition of the bonds will meet your approval. The corn thus obtained was distributed in such localities and in such quantities as were deemed most needy, and afforded much relief which would not otherwise have been found.

It was fondly hoped that the crop of the present year would have been sufficient to save us from any further destitution. But unfortunately this is not the case. The season has been exceedingly unfavorable; and the crops are lamentably short. It is the opinion of the Commissioner for the Destitute, expressed in his official report, that there will not be half enough of grain raised to subsist the population of the State. From information received from Probate Judges, and various other sources, I am inclined to believe that this opinion is but too well founded.

By an order issued some time since from the War Department, at Washington, it was directed that the issue of rations through the agency of the Freedmen's Bureau, be discontinued after the thirtieth of September. The enforcement of that order would have left our destitute population in a most lamentable condition. An earnest appeal, therefore, was made in favor of a modification of the order, so that actual starvation might be prevented. It is but just to Major General Swayne, the commandant of the military district of Alabama, and Assistant Commissioner of the Freedmen's Bureau, to say that he exerted his influence with the authorities at Washington, against the unconditional discontinuance of rations in the State. As the result of his interposition, he was not only authorized to furnish further supplies, but given a discretion upon the subject which he has decided to exercise in a way which I think will be highly beneficial. Gen. Swayne is authorized to purchase supplies for distribution for the next three months to the value of one hundred and twenty thousand dollars. He has an agent now employed in making purchases, which are to be confined to corn and bacon. By furnishing these articles of food, instead of regular rations formerly issued, it is thought that much more good will be accomplished. These supplies will be consigned to the Judges of Probate of the several counties, and distributed under their supervision.

It is for you, in your wisdom, to decide upon what is best to be done in relation to relief of the destitute for the ensuing

year. The question is embarrassing in all its aspects ; but everything should be done which is in the power of the State.

THE UNIVERSITY.

By the act of February 23, 1866, it was provided that the sum of twenty thousand dollars be loaned to the University of Alabama, for the purpose of erecting a building for that institution. The loan was to be drawn from the treasury in three annual instalments, beginning with the year 1867. Encouraged by this liberality on the part of the State, the Trustees took the proper steps to have the building commenced. The bricks, and other necessary materials for that purpose, are now in process of preparation. When the loan was applied for, it was thought that the edifice could be completed by the year 1870. It is now probable that it will be done much sooner.

The President of the University, Dr. L. C. Garland, has been zealously and actively engaged in efforts to collect a library and scientific apparatus. No official report upon the subject has been received from that officer ; but it is hoped, that in his praiseworthy efforts he has met with encouraging success. This is a highly important and valuable institution ; and we may reasonably hope that, at no distant day, it will be in a condition to resume the practical operations of its educational usefulness.

COMMON SCHOOLS.

Our common school system was necessarily interrupted by the war, and has not yet recovered from the derangement. It is highly important, however, that it be put in full operation as soon as practicable.

No interest upon the common school fund has been paid for the last two years. The reason for this is, that the schools have been suspended. But there is a growing interest upon the subject, as appears from numerous communications received at this Department, in which inquiries are made in reference to the practicability of obtaining the interest due various townships.

The necessity for an efficient system of public schools, in Alabama, was never more urgent than at the present time. For four or five years that class of youths for whom these schools are mainly designed, have been deprived of all educational advantages ; and one of the unfortunate results of the war has been to greatly increase the number of this class.

The annual interest on the common school fund is one hun-

dred and two thousand, six hundred dollars (\$102,600). Two years' interest is now payable. I am still of the opinion, which I expressed in my former message, that a sufficient amount ought to be appropriated from the treasury to equalize the benefits of the system in the various townships. As a general thing, those townships wherein the sixteenth sections have been valueless, and which have little or none of the school fund to their credit, contain a population which specially need the advantages of our public schools. These advantages ought to be afforded them, and they can be found in no other way except by furnishing means from the Treasury to support schools in them similar to those maintained in townships which have a sufficiency of the sixteenth section fund.

MAIMED AND DISABLED SOLDIERS.

We have a large number of maimed and disabled soldiers, for whom provision should be made by the State. Those who have lost limbs, and are unable to procure artificial ones, should have them supplied by the State. This is due them for their gallantry and patriotic sacrifices in the State's service.

The demand for artificial limbs, both North and South, is so great, that they are being manufactured in large quantities; and from competition and rivalry in the business, the highest artistic skill is employed in their production. Substitutes for lost limbs of great perfection are now made; but their cost is such as to place them beyond the reach of many who need them. I think it is a duty which the State owes to this class of our maimed soldiers to supply them with artificial limbs.

DEAF AND DUMB INSTITUTION

The institution for the Deaf and Dumb, at Talladega, is now in successful operation. It is in the charge of Professor Johnson, under whose judicious management the fullest opportunities are afforded for acquiring an education by deaf-mutes. Full payment has been made to the institution for all arrears, which accumulated during the war. It is earnestly advised that the unfortunate class for whose benefit the institution was established, should avail themselves of its advantages.

ELECTION OF UNITED STATES SENATORS.

I have received from the State Department at Washington, an official copy of an "Act to regulate the times and manner

of holding elections for Senators in Congress." As the law prescribes a mode of choosing Senators different from that heretofore provided for by this State, I hereby transmit an authentic copy of it.

SECRETARY OF STATE—ADJUTANT AND INSPECTOR GENERAL.

On the first day of April last, the office of Adjutant and Inspector General of the State became vacant by the lamented death of Gen. Hugh Park Watson. Gen. Watson had held the office for many years, and discharged its duties with ability, fidelity and usefulness to the State. In his death the State lost a most efficient officer, and the community, a high-toned, honorable, and useful citizen.

A vacancy occurred in the office of the Secretary of State on the first of July, occasioned by the resignation of Albert Elmore, Esq. As the successor of Gen. Watson, I appointed Col. George E. Brewer. To the office of Secretary of State, D. L. Dalton was appointed. By a constitutional provision, the tenure of these appointments extends to the close of your present session. It will therefore devolve upon you to fill these offices by election, before your adjournment.

THE PROBATE COURT OF MOBILE.

In consequence of the closing of the Probate Court of Mobile, I commissioned on the 30th of August, the Hon. Geo. W. Bond, late Probate Judge, to receive all license and other taxes which would properly pass through the office of the Probate Judge. In addition to this, the report of Judge Bond, a copy of which is herewith transmitted, will show, that at the urgent solicitation of the citizens of Mobile, he has performed all the duties appertaining to the office of Probate Judge, except those of a judicial character. His services have been of great value to the State, and city and county of Mobile, and I recommend that an indemnifying act be passed, giving legal validity to his official acts.

RAILROAD LANDS.

By an act of Congress, approved June 3, 1856, the Federal government made a liberal donation of public lands to aid in the construction of various railroads in Alabama. The lands were given in alternate sections, along the lines of the several roads named in the act. They were to be disposed of as the

building of the roads progressed, in the proportion of one hundred and twenty sections for every twenty miles completed. All the lands which were undisposed of in this way within ten years reverted to the United States. This period of ten years expired on the third of June last.

All of these roads were in process of construction at the commencement of the late unfortunate war. But the work upon them was, as a matter of course suspended for the entire period of hostilities. Had it not been for the war, they would all doubtless have been completed; and they would thus have obtained the full benefit of the entire grant of lands. But upon the return of peace, the period of ten years was about expiring; and at your last session a memorial was adopted, appealing to Congress to extend the period for the reversion of the lands to the United States for five years from the third day of June, 1866. A duly authenticated copy of this memorial was transmitted to the President of the United States, and by him communicated to Congress. While at Washington I used my best exertions in favor of the object contemplated by the petition. By subsequent correspondence with the Executive Department, and with members of Congress, I urged the justice of the case. While Congress was in session, the Commissioner of the Land Office ordered that all the alternate sections embraced in the grant of 1856, be withheld from private entry, and the operations of the homestead law. Congress took no action upon the subject, though I do not think that this non-action resulted from any opposition to an extension of the grant. That measure, like many others, was left unacted upon when Congress adjourned. I have strong hopes that Congress will yet extend the time to our railroads, so that they may secure those benefits from the grant which they were deprived of by the war.

PROPOSED AMENDMENTS TO THE CONSTITUTION.

I have received from the State Department at Washington, a duly authenticated copy of a resolution of Congress proposing a Fourteenth Article to the Constitution of the United States. A verified copy of the resolution is transmitted herewith.

This proposed article contains five sections. The first, after describing who are citizens of the United States, closes in the following words:

“No State shall make or enforce any law which shall
“abridge the privilege or immunities of citizens of the United

“States ; nor shall any State deprive any person of life, liberty or property, without due process of law.”

The Constitution of the United States, as it now stands, provides that no person shall “be deprived of life, liberty, or “property, without due process of law.” A provision similar to this is contained in the Constitution of Alabama, and, I presume, of every State in the Union ; and thus the sacred rights of persons and property are protected by all the safeguards which human constitutions and laws can furnish. It is important, therefore, to examine closely and carefully into the proposition to change this great tenure of our institutions.

The courts of the United States have a clearly defined sphere of jurisdiction. The jurisdictional limits of the State courts are also distinctly marked. In nothing did those great and good men who founded our Government, display more wisdom and foresight, than in the establishment of a properly balanced system of Federal and State judiciary. For more than three-quarters of a century this system has worked with admirable harmony. During that long period, it has afforded such ready, full and efficient opportunities for enforcing all the rights, and redressing all the grievances of the citizen, that up to this time not even the slightest defect has been alleged against it. It has passed unscathed through the fiercest contentions of political parties. The country has, at different times, been agitated by almost every conceivable question, except a reform of the judiciary. That has operated with such universal satisfaction that not even the wildest political dreamer, or most impracticable sentimentalist, has ever ventured to assail it.

After all these conclusive evidences of the perfection and triumphant success of our judiciary system, it is certainly the part of wisdom to pause and deliberate, before we give our sanction to a proposition which would effect a radical change in it. A careful examination would show that the words, “nor shall any State deprive any person,” which are contained in the first section, are of vast, if not dangerous import. It would enlarge the judicial powers of the General Government to such gigantic dimensions as would not only overshadow and weaken the authority and influence of the State courts, but might possibly reduce them to a complete nullity. It would give to the United States courts complete and unlimited jurisdiction over every conceivable case, however important, or however trivial, which could arise under the State laws. Every individual dissatisfied with the decision of a State court, might apply to a Federal tribunal for redress. It matters not what might be the character of his case. It might be civil, or

criminal. It might be a simple action of debt, or a suit in trover; it might be an indictment for assault and battery, for larceny, for burglary, for arson, or for murder. It would be all the same. Upon a simple complaint that his rights, either of person or property had been infringed, it would be the bounden duty of the tribunal to which he made his application, to hear and determine his case. The granting of such an immense power as this over the State tribunals would, at the very best, subordinate them to a condition of comparative unimportance and insignificance, and might prove utterly destructive of that full security for the enjoyment of all the legal rights of property, and those effective guarantees against arbitrary oppression, which the people have found in our present judicial system, ever since the organization of the Government.

The second section of the proposed amendment would make a radical change in the representative system of the General Government. Under the Constitution as it now stands, representatives in Congress are apportioned among the several States, according to their respective number of inhabitants. By the proposed second section, if in any State the right to vote is denied to any class of its inhabitants, the representatives for such State are to be reduced in the proportion which the excluded class shall bear to those enjoying the right of suffrage. The practical effect of this section upon the Southern States would be a loss of nearly half of the representatives to which they are now entitled, if they should not extend the elective franchise to the negroes. But there would be very little, if any diminution in the Northern States, as they contain but a small negro population.

In most of the States now represented in Congress, there is a large number of unnaturalized foreigners. By the laws of nearly all of those States, the elective franchise is withheld from foreigners until, by a proper period of residence, their naturalization is perfected. Still, they have the right of suffrage in prospect; the right to vote not being denied them in the sense contemplated by this amendment; and hence, they would be regularly counted in the representative apportionment. By this means the numerical strength now held by those States would be retained. Therefore, if this amendment should be incorporated into the Constitution, the representative apportionment in some of the States would be based upon the whole number of the inhabitants, while in others it would be governed by actual voters. This would be an unfair and an unjust discrimination against the Southern States.

The third section of this proposed Fourteenth article is still more objectionable. It establishes a test of eligibility for office, both Federal and State, which is not only unnecessarily and unjustly proscriptive, but which might possibly lead to the most ruinous consequences. Experience has demonstrated incontestably, that the interest of the Government does not require such a rigid and discriminating test. The officials chosen since the war to conduct the operations of the non-represented States, have had numerous and embarrassing difficulties to contend with. But amidst all their discouraging embarrassments, they have firmly and faithfully discharged their public duties in strict harmony with the Constitution and laws of the United States. They, as well as the people for whom they act, fully recognize their indissoluble identity with the Union, and are earnestly and honestly laboring to maintain it in its constitutional integrity. All this shows that the people may be very safely allowed the untrammelled privilege of choosing their own agents from among those who are eligible to positions of public trust under the Constitution as it now stands. The people of the States which are now denied representation in Congress, would not murmur at any standard of patriotism, or test of loyalty to the General Government, which might be applied to their professions and conduct since the close of the war. If punishments are to be inflicted for preceding conduct, surely the pains and penalties prescribed by the laws now standing upon the National Statute Book, are amply sufficient for the purpose. They are certainly rigorous enough to accomplish all legitimate purposes of any government controlled by true statesmanship.

If the disabilities imposed by this third section be designed as a punishment for acts heretofore committed, the amendment would operate practically as an *ex post facto* law, which is contrary to the whole spirit of modern civilization. The creation of a penalty to be imposed as a punishment for an act, after that particular act has been committed, is a thing unknown in the history of enlightened liberty. Such a mode of dealing with citizens charged with offenses against government, belongs only to despotic tyrants. It may accomplish revengeful purposes, but it is not the proper mode of administering justice.

The adoption of this amendment would vacate nearly all the offices in most of the unrepresented States. It would summarily and ruthlessly sweep away Governors, Judges, Legislatures, Sheriffs, Justices of the Peace, and Constables, and thus the State Governments would be completely broken up. In-

deed, they would be reduced to utter and hopeless anarchy, as the destroyed States could leave behind them no authoritative provision for the re-establishment of governmental order.

The great mass of the people in the non-represented States are now practically excluded from all Federal offices by a stringent test oath, which was placed upon the statute book while the war was raging. We have high official authority for saying that the disabilities imposed by that test oath are seriously detrimental to the interest of the Government in some of its important branches. Communications to this effect were addressed to Congress, at its recent session, by the Secretary of the Treasury and Postmaster General, and that body was appealed to for relief. There is no difficulty in finding men whose present loyalty is undoubted, and who would make efficient revenue collectors and postmasters. But the inexorable test oath is so broad and sweeping that the Government is deprived of their services. It was clearly in the power of Congress to grant the relief asked for by a majority vote, but I am not aware that it was done in a single instance. This proposed third section would not only add greatly to the disabilities of the test oath, but it would abridge the relieving power of Congress, by requiring a vote of two-thirds instead of a majority.

For reasons, such as these, I am decidedly of the opinion that this amendment should not be ratified. The first section embodies a principle which I regard as dangerous to the liberties of the people of the whole country. That principle is as applicable to New York and Massachusetts as to Alabama. The second section proposes a change in a feature of our Government which has never been complained of before. The question of representation has never been a source of trouble or inconvenience. It contributed in no way to the recent troubles of the country, and a change in it cannot be legitimately claimed as forming any part of the results of the war. The third section would bring no possible good to the represented States, while it would reduce those that are unrepresented to utter anarchy and ruin.

We are sincerely desirous for a complete restoration of the Union. We want conciliation, harmony and national tranquillity. We feel that we have given every evidence which human action can furnish of an honest purpose to conform in good faith to the condition of things surrounding us. Alabama is to-day, as true to the Constitution and laws of the General Government, as any State in the Union. Under the internal revenue law and the tax on cotton, the people of this State are

now paying revenue to the General Government at the rate of nearly ten millions of dollars a year. In the enactment of these laws we had no voice. This amendment was proposed when nearly one-third of the States were unrepresented, and all of its harsh features are aimed directly at the States thus excluded. The ratification of such an amendment, proposed under such circumstances, cannot, in any possible view, accomplish any good to the country, and might bring upon it irretrievable disaster.

R. M. PATTON.

On motion by Mr. Garrett,

The message was laid on the table, and 1000 copies ordered to be printed for the use of the Senate.

The Senate then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, November 13th.

The Senate met pursuant to adjournment.

Upon the call of the districts the following bills were introduced :

Mr. Boykin, a bill to establish a new county, to be called the county of Crenshaw ;

Mr. Cooper, a bill (accompanied with a petition,) to create a new county, of portions of Dallas, Marengo, Perry and Wilcox, to be called the county of ——— ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on county boundaries.

Mr. Felder, a bill to repeal sections 104, 105 and 106, of "An act to establish Revenue Laws of the State of Alabama," and to remit the penalties incurred therein ;

Mr. Forney, a bill for the relief of Elly Smith and Susan Butler of Clarke county ;

Mr. Powell of Tuscaloosa, a bill to authorize Probate Judges to resign the office of Judge of the County Court, under the Penal Code ;

Which were severally read twice, under a suspension of the the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Foster, a bill to incorporate the town of Livingston, in Sumter county ;

Which was read twice, under a suspension of the consti-

tutional rule, and referred to the committee on corporations.

Mr. Powell of Tuscaloosa, a bill to authorize the Court of County Commissioners of Tuscaloosa county, to levy a special tax ;

Which was read three times, under a suspension of the constitutional rule, and passed.

Ordered, That it be sent to the House of Representatives as soon as engrossed.

Mr. Gage, a bill for the relief of Rodolphe Hottinguer.

Mr. Powell of Macon, a bill to make Mrs. C. Jane Jones, wife of James A. Jones, of Macon county, a free-dealer.

Mr. Drake, joint resolutions of the General Assembly on the rights of the people of the several States composing the United States ;

All of which were severally read a first time, and ordered to a second reading.

On motion by Mr. Garrett :

Resolved, That the Secretary of State be directed to lay before the Senate the returns of the census of the State, as taken in pursuance of the act of the last session of the General Assembly, as they have been received at the office, and as they may be received hereafter.

On motion by Mr. Deason :

Resolved, That a committee be appointed to secure the attendance of such ministers of the several churches of the city of Montgomery, as may be willing to attend ; that the session of the Senate may be opened with prayer.

Messrs. Deason, Felder, and Powell of Macon were appointed the committee.

Mr. Lindsay offered the following resolution :

Resolved, That all motions to suspend the constitutional rule requiring bills to be read on three several days shall be determined by a call of ayes and noes.

Also, the following resolution :

Resolved, That all motions to reconsider shall be determined by a call of the ayes and noes ;

Both of which, under the rules of the Senate, lie over one day.

On motion by Mr. Garrett,

Resolved, That the Comptroller of Public Accounts and the State Treasurer be requested to lay before the Senate their report upon the finances, for the fiscal year ending 30th September last.

On motion by Mr. Montgomery,

The Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, November 14th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Petrie.

Upon the call of the Districts, the following bills were introduced :

Mr. Gage, a bill to amend section 1519 of the Code and provide a conventional rate of interest for this State ;

Mr. Montgomery, a bill to form a new county to be called the county of Clay, from portions of Talladega and Randolph counties ;

Mr. Deason, a bill for the relief of Wm. F. Hanby, administrator of the estate of David Hanby, deceased, late of Jefferson county ;

Mr. Powell of Tuscaloosa, a bill to incorporate the Warrior Bridge, Pontoon and Ferry Company ;

Mr. Stansel, a bill to prevent malicious mischief ;

Mr. Lindsay, a bill to incorporate the Tuscumbia Savings' Association ;

Mr. Drake, a bill to amend an act entitled an act to amend an act to incorporate the Northern Bank of Alabama, approved February 2d, 1864 ;

All of which were severally read the first time, and ordered to a second reading.

Mr. President laid before the Senate a communication from L. P. Saxon, State Treasurer, and M. A. Chisholm, Comptroller of Public Accounts, transmitting to the Senate their annual reports of fiscal affairs for the year ending 30th September, 1866, in accordance with a resolution of the Senate adopted on yesterday.

Ordered that the communications lie upon the table.

Mr. Cooper, presented a petition from certain voters and tax payers of Wilcox county against the formation of a new county out of portions of Dallas, Marengo and Wilcox,

Which was referred to the Committee on County Boundaries.

The Senate proceeded to consider the

GENERAL ORDERS.

The bill for the relief of Rodolphe Hottinguer,

Was read a second time and referred to the Judiciary Committee.

The bill to make Mrs. C. Jane Jones, wife of James A. Jones, of Macon county, a free dealer,

Was read a second time and referred to the Committee on Propositions and Grievances,

The joint resolutions of the General Assembly on the rights of the people of the several States composing the United States,

Were read a second time and referred to the Committee on Federal Relations.

The following resolution, offered by Mr. Lindsay on yesterday, to wit :

Resolved, That all motions to suspend the constitutional rule, requiring bills to be read three times on three several days shall be determined by a call of the ayes and noes, was referred to the Committee on Rules of the Senate.

As was also the following resolution :

Resolved, That all motions to reconsider shall be determined by a call of the ayes and noes.

Mr. President laid before the Senate the following as the Standing Committees of the Senate :

On the Judiciary—Barnes, Cooper, Lindsay, Felder, Powell of Tuscaloosa, Forney, Winston, Stansel, Jones, and Kilpatrick.

On Finance and Taxation—Garrett, Cooper, Moren, Sykes, Drake, Ashley, Gage, Powell of Macon, and Huckabee.

On Propositions and Grievances—Winston, Bell, Slaughter, Jackson of Morgan, and Wood.

On Privileges and Elections—Jones, Mitchell, Montgomery, Woodliff, and Norwood.

On 16th Sections and 16th Section Funds—Ashley, Stansel, Drake, Huckabee, Powell of Macon, Gage, and Edwards.

On Education—Stansel, Foster, Forney, Lindsay, Sykes, Kilpatrick, and Mitchell.

On Accounts and Claims—Moren, Foster, Jackson of Lauderdale, Norwood, Bell, Boykin, and Castens.

On Federal Relations—Felder, Barnes, Lindsay, Drake, Forney, Mitchell, and Slaughter.

On Military Affairs—Forney, Drake, Stansel, Felder, Jackson of Lauderdale, Gage, and Kilpatrick.

On Internal Improvements—Powell of Tuscaloosa, Winston, Moren, Edwards, Deason, Jackson of Morgan, and Woodliff.

On Banks and Banking—Sykes, Gage, Huckabee, Garrett, and Boykin.

On Freedmen—Cooper, Barnes, Lindsay, Ashley, Sykes, Montgomery, Powell of Macon, Mitchell, and Powell of Tuscaloosa.

On Corporations—Lindsay, Jones, Jackson of Morgan, Norwood, Deason, Forney, and Stansel.

On Insane Hospital and Deaf and Dumb Asylum—Foster, Moren, Sykes, Deason, and Bell.

On County Boundaries—Edwards, Foster, Montgomery, Jackson of Lauderdale, Deason, Castens, and Boykin.

On Penitentiary—Drake, Bell, Garrett, Castens, Wood, Slaughter, Montgomery, Boykin, and Cooper.

On Agriculture—Powell of Macon, Castens, Wood, Slaughter, and Woodliff.

On State Printing—Huckabee, Garrett, Jackson of Lauderdale, Wood, and Winston.

On State Capitol—Kilpatrick, Felder, Edwards, Garrett, and Ashley.

On Roads, Bridges, and Ferries—Jackson of Morgan, Woodliff, Norwood, Mitchell, and Edwards.

On Retrenchment—Montgomery, Bell, Huckabee, Woodliff, and Slaughter.

On Enrolled Bills—Deason, Jackson of Lauderdale, Jones, Powell of Tuscaloosa, and Winston.

On Rules of the Senate—Powell of Tuscaloosa, Jones, and Barnes.

Mr. Felder presented the following communication :

OFFICE OF COMMISSIONER AND TRUSTEE, }
Montgomery, November 12, 1866. }

To the Senate and House of Representatives :

The outstanding indebtedness of the State, on bonds, originally issued for the capital of the State Bank and branches, was, at the time of the surrender, as follows, viz:

| | | |
|------------------------------|--------------|--|
| Payable in New York in 1863, | \$1,889,000, | 5 per cent. int., payable 1st May and 1st Nov. |
| “ “ “ “ “ 1865, | 52,000, | 5 per cent. int., payable 1st May and 1st Nov. |
| “ “ “ “ “ 1872, | 168,000, | 5 per cent. int., payable 1st May and 1st Nov. |
| “ “ London, “ 1866, | 648,000, | 5 per cent. int., payable 1st Jan. and 1st July. |
| “ “ “ “ “ 1870, | 688,000, | 6 per cent. int., payable 1st June. |

Total.....\$3,445,000

The annual interest payable in New York, amounts to \$105,450

“ “ “ “ “ London, “ “ 73,680

The semi-annual instalments of interest, payable in New York, were regularly paid up to and including the one due 1st November, 1861. The interruptions of the war prevented remittances from being made to New York after that date, and notice was given through the public journals, that coupons payable in New York would be paid, on presentation, at the Bank of Mobile.

The annual and semi-annual instalments of interest, payable in London, were paid, as they became due, up to and including that one of 1st January, 1865.

The interest overdue on the bonds payable in New York is as follows, viz.:

| | |
|------------------------------------|----------|
| Instalments due 1st May, 1862..... | \$52,725 |
| “ “ “ Nov., “ | 52,725 |
| “ “ “ May, 1863..... | 52,725 |
| “ “ “ Nov., “ | 52,725 |
| “ “ “ May, 1864..... | 52,725 |
| “ “ “ Nov., “ | 52,725 |
| “ “ “ May, 1865..... | 52,725 |
| “ “ “ Nov., “ | 52,725 |
| “ “ “ May, 1866..... | 52,725 |
| “ “ “ Nov., “ | 52,725 |

| | |
|--|-----------|
| Total..... | \$527,250 |
| Of which sum there was paid at the Bank of Mobile, | 53,400 |

Leaving due and unpaid on 1st November, 1866.....\$473,850

The interest overdue and to mature on 1st January, 1867, on the bonds payable in London, is as follows, viz:

| | |
|---------------------------------------|----------|
| Instalment due 1st January, 1865..... | \$41,280 |
| “ “ “ July, “ | 16,200 |
| “ “ “ January, 1866..... | 16,200 |
| “ “ “ June, “ | 41,280 |
| “ “ “ July, “ | 16,200 |
| “ “ “ January, 1867..... | 16,200 |

Making amount overdue and due 1st Jan., 1867.....\$147,360

At the last session of the Legislature an act was passed, entitled “An act to renew and extend the time of payment of certain State bonds therein named,” approved 18th January, 1866. This act authorized the extension of the bonds due in New York on 1863 and 1865 by the substitution of new bonds of a similar kind, payable in 1883. In pursuance of the act, new bonds were prepared, and notice given, through the papers, in June last, of the readiness of the State to make the

exchange at my office in the city of Montgomery; and at the Banking House of Duncan, Sherman & Co., New York, who had been appointed by Governor Patton the Financial Agent for the State of Alabama in the city of New York. The renewal is progressing satisfactorily, and as rapidly as could be expected from the scattered localities of the bondholders. At the same session of the Legislature an act was passed, entitled "An act to provide for the payment of the interest on the bonded debt of the State of Alabama," approved 12th February, 1865. This act authorized the payment or funding of the interest due, and to mature 1st January, 1867, on all the bonds payable in New York, as well as on those payable in London, with bonds having twenty years to run, and bearing the same rate of interest and payable at the same places as the bonds upon which the interest so to be paid or funded, accrued; and under its provisions bonds were prepared and notice given to holders at the same time, and in the same manner, as was given to holders for extension. This is also progressing satisfactorily, so far as the interest payable in New York is concerned. The Legislature overlooked the bonds due in London in 1866, and made no provision for their extension. Quite an extended correspondence has been carried on with the Chairman of the "United States, States and Corporations Arrears Committee" of London, and the Manager of the Union Bank of London, on the subject of the bonds due there this year, and the interest past due. At the first they required that the bonds to be given for the interest over due and to mature on 1st January next, should be of short date, or that an accumulation sinking fund should be provided for their redemption.

On the 5th of September last, I submitted the distinct proposition to extend the bonds due in this year, with bonds of a similar kind, having twenty years to run, and to pay or fund the back interest, including that due on the first day of January next, with bonds having twenty years to run. A public meeting of the bondholders was called, through the *London Times*, and I am now informed by the chairman of the committee, under date of 13th of October, that at that meeting, resolutions were adopted, accepting the proposition, and appointing the committee, in conjunction with the Union Bank of London, to represent the bondholders in the exchange. To carry it into effect and thereby complete the extension of the matured bonds, and the funding of the overdue interest, it becomes necessary for the Legislature to pass an act authorizing the extension, which should be done at the earliest possible

day, as it requires time and much labor to prepare the bonds. The funding of the overdue interest will add to the *interest bearing* bonded debt, \$621,210 00. The regular payments of interest will begin again on 1st May, 1867, on the bonds in New York; and on 1st January, 1867, on those payable in London. Especial care should be taken to guard against the possibility of a failure, or the recovered credit of the State will be irreparably injured. It must be borne in mind that the interest in London is payable in sterling money; what is now about 60 per cent. above our national currency. The bond issued to the Bank of Mobile for \$14,388 13, of gold, was paid in August last; and the note for \$40,000, given for a loan to the State, in September, 1865, at twelve months, was paid at maturity. There remains in my office seventy-five of the old Virginia bonds, (6 per cent.,) at \$1,000 each, worth in the market about 46 per cent.

Respectfully submitted.

J. WHITING,
Com'r and Trustee.

On motion by Mr. Felder,

The communication was referred to a select committee of three, with instructions to examine and audit the account of John Whiting.

Messrs. Felder, Garrett and Cooper, were appointed the committee.

On motion by Mr. Lindsay,

Two senators were added to the Committee on Corporations. Messrs. Forney and Stansel were added to the committee.

On motion by Mr. Garrett,

Fifty copies of the Standing Committees of the Senate were ordered to be printed for the use of the Senate.

On motion by Mr. Jones,

The Senate then adjourned until to-morrow morning, 10 o'clock.

THURSDAY, November 15th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Petrie.

Upon the call of the districts the following bills were introduced:

Mr. Kilpatrick, a bill to provide for the collection of costs due to the officers of court, in cases where suits are abated by the death of the defendant.

Also, a bill to make Sarah Elizabeth Marshall a free dealer.

Mr. Powell of Macon, a bill to create a new county out of portions of Macon, Montgomery, Pike and Barbour counties, to be called the county of Bullock ;

Mr. Felder, a bill to regulate fees of Justices of the Peace and Constables in the county of Montgomery ;

Mr. President, (Mr. Cooper in the chair,) a bill to incorporate the City of Greenville ;

Also, a bill to reduce the expense of publishing the Supreme Court Reports ;

Also, a bill fixing the time when certain laws shall take effect ;

Mr. Garrett, a bill making an appropriation for the pay of the members and officers of the General Assembly ;

Mr. Deason, a bill for the relief of Abner Cornelius, of Jefferson county ;

Mr. Powell of Macon, a bill to make Malinda F. Waugh, of Macon, a free dealer ;

All of which were severally read the first time, and ordered to a second reading.

Mr. Garrett offered the following resolution :

Resolved, That the President appoint a committee of one from each judicial circuit, whose duty it shall be to apportion representatives and senators among the several counties of this State according to the census of 1866.

On motion by Mr. Barnes,

The resolution was laid on the table.

On motion by Mr. Edwards, Messrs. Woodliff, and Powell of Macon were added to the Committee on County Boundaries.

Mr. Winston offered the following preamble and resolution :

WHEREAS, it is all important in order to retain our population and afford them employment at this juncture of affairs of the State of Alabama, that some plan should be adopted and executed at as early a day as practicable, to develop the vast mineral wealth of the State, thereby encouraging the introduction of capital and labor ; and

WHEREAS, the completion of our railroads now in process of construction is indispensable to the accomplishment of these desirable objects. Therefore, be it

Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency and importance of the State endorsing to a limited extent the first mortgage twenty-five year bonds of railroads now in process of construction, and that they report by bill or otherwise.

The preamble and resolution were adopted.

On motion of Mr. Powell of Tuscaloosa,

Resolved, That the Committee on State Printing be instructed to have a sufficient number of the rules of the Senate and joint rules of the two Houses in Convention printed for the use of the Senate.

Mr. Drake introduced a bill for the relief of the Memphis and Charleston Railroad;

Which was read three times under a suspension of the constitutional rule, and passed.

Mr. Powell of Tuscaloosa, introduced a bill for the relief of Allen H. Johnson and James G. Barney, of Tuscaloosa county;

Which was read the first time, and ordered to a second reading.

The Senate proceeded to consider the

GENERAL ORDERS.

The bill to amend an act entitled "An act to incorporate the Northern Bank of Alabama," approved February 2d, 1854;

Was read a second time, and referred to committee on Banks and Banking.

The bills, to incorporate the "Tuscumbia Savings Association";

And to incorporate the Warrior Bridge Pontoon and Ferry Company;

Were severally read the second time and referred to the committee on Corporations.

The bill to form a new county to be called the county of Clay out of portions of Randolph and Talladega counties;

Was read the second time, and referred to the committee on County Boundaries.

The bills to prevent malicious mischief;

To amend section 1519 of the Code, and provide a conventional rate of interest for the State;

For the relief of William F. Hanby, adm'r of the estate of David Hanby, dec'd, late of Jefferson county;

Were severally read a second time, and referred to the committee on the Judiciary.

Mr. Powell of Tuscaloosa, from the committee on the rules of the Senate reported favorably to the following resolutions:

Resolved, That all motions to reconsider, shall be determined by a call of the ayes and noes.

The Senate refused to concur in the report.

Also, from same committee, favorably to the following resolution:

Resolved, That all motions to suspend the constitutional rule, requiring bills to be read on three several days, shall be determined by a call of the ayes and noes.

The Senate concurred in the report of the committee.

Message from the House by Mr. Clanton, clerk *pro tem* :

Mr. President :

The House has originated and passed the following bills:

To remove the administration of the estate of John Kelly from Wilcox to Marengo county;

To authorize the Commissioners Court of Chambers county to issue Treasury Notes to pay the present indebtedness of said county to pay for building bridges, enlarging and repairing the court house and jail, and for other county purposes.

To amend the charter of the city of Huntsville;

To amend the revenue laws as to the county of Autauga and other counties therein named;

To enlarge and extend the time of holding the circuit court in the county of Limestone;

To authorize the mayor and aldermen of Huntsville to issue bonds of said corporation;

To require certain officers of Macon and Russell counties to reside at the courthouse or within one mile thereof;

To fix the time of holding the commissioners court of Marengo county;

For the relief of Seaborn H. Holston, of Tallapoosa county.

To amend an act entitled "An Act to prohibit the sale of spirituous and vinous liquors within three miles of St. Andrews' Chapel, in Washington county";

To regulate the time of holding the circuit court of St. Clair county;

To provide for the future proceedings of the probate court of Mobile county, and to ratify the proceedings of Hon. Geo. W. Bond, acting as judge of said county;

To change the time of holding the fall term of the circuit court of Autauga and Bibb counties.

T. CLANTON, Clerk. *pro tem*.

The following message was received from the Governor, by his private Secretary, Mr. Benj. H. Screws:

EXECUTIVE DEPARTMENT,

MONTGOMERY, Nov. 14th, 1866.

Gentlemen of the Senate and House of Representatives :

By an act of the General Assembly, approved February

21, 1860, it was provided that a commissioner be appointed to revise the Code of Alabama. For the office of commissioner the Hon. Turner Reavis was appointed. The work of revision was commenced, but by an act, approved December 9th, 1861, it was ordered to be discontinued until the close of the war. In the month of May last, judge Reavis resigned the office of commissioner, and to fill the vacancy thus occasioned, I appointed the Hon. A. J. Walker, chief justice of the supreme court. Judge Walker entered immediately upon the work of revision, and has submitted it to the Governor, with his report as provided by the 7th section of the act of February 21, 1860. The 8th section of the same act makes it the duty of the Governor to examine the Revised Code, and submit it to the General Assembly, and together with the commissioner's report, and such suggestions as he may think proper in regard to its adoption or rejection. It is also made the duty of the Governor to recommend the amount of compensation that shall be paid the commissioner. I have given the Revised Code such an examination as I think the law contemplates. The manner in which the revision was to be made was minutely defined in the act, and I find that it has been executed in strict conformity therewith. In considering the amount of compensation that shall be allowed the commissioner, I have ascertained the amount paid to former codifiers. The amount paid for Aikens' Digest was \$3,300. For Clay's Digest, \$2,800, and for the Code of 1851, \$7,000. I think the revision now submitted involved as much research, analysis and labor as was required to prepare the Code of 1851.

The Revised Code will make a volume nearly if not quite double the size of the Code of 1851. From this you may form an intelligent idea of the labor required, especially when we consider that the revision embraced the legislation of fifteen years, which was more than that between the publication of Clay's Digest and the next succeeding revision.

The law made no provision for any assistant to the commissioner for the present work. But assistance was absolutely necessary, and Judge Walker obtained the services of John B. Taylor, Esq., whose abilities and acquirements are well known.

The commissioner, in his report, acknowledges his indebtedness to Mr. Taylor, for his efficient assistance. I can bear personal testimony to the arduous application and labor of both Judge Walker and Mr. Taylor, in the preparation of the work. I think the commissioner should be allowed at least \$4,000 for his services and a liberal allowance should be made to Mr. Taylor for his assistance.

An appropriation should also be made for clerical services, which were necessary in making transcripts. Should the commissioner be allowed the amount recommended, the assistants and clerks might be suitable compensated without exceeding the limits of the cost of the Code of 1851.

Upon examination of the manuscript, it will be seen that it is neatly and elegantly executed. I do not think that the law designed that the Governor should make that minute and detailed examination of the Revised Code, which would be necessary to form an intelligent opinion as to the merits of all its parts.

In this I defer to the better judgment of the General Assembly.

There being but one copy of the Revised Code, I send it to the House of Representatives.

R. M. PATTON,
Governor, &c.

The message and accompanying report of Chief Justice Walker, were laid on the table.

The Senate proceeded to consider the House bills:

To require certain officers of Marengo and Russell counties to reside at the court house or within one mile thereof.

To remove the administration of the estate of John Kelly from Wilcox to Marengo county.

To authorize the commissioners court of Chambers county to issue treasury notes to pay the present indebtedness of said county, to pay for the building of bridges, enlarging and repairing the court house and jail, and for other county purposes.

To authorize the mayor and aldermen of Huntsville to issue the bonds of said corporation.

To enlarge and extend the time of holding the circuit court in the county of Limestone.

To amend the revenue laws as to the county of Autauga, and other counties therein named.

To amend the charter of the city of Huntsville.

To authorize the administrators of W. H. Hiblen, deceased, to rent the lands of said estate.

For the relief of Seaborn H. Holston, of Tallapoosa county ;

Relating to the guardianship of Anson R. Brackett and the transfer of his estate ;

To fix the time of holding the court of county commissioners of Marengo county ;

To regulate the time of holding the circuit court of St. Clair county ;

To amend an act entitled an act to prohibit the sale of spirituous and vinous liquors within three miles of St. Andrew's Chapel in Washington county ;

To change the time of holding the fall term of the circuit courts in Bibb and Autauga counties ;

Were severally read the first time, and ordered to a second reading.

The House bill—

To provide for the future proceedings in the probate court of Mobile county, and to ratify the proceedings of Hon. George W. Bond, acting as judge of said court,

Was read a first time.

Mr. Garrett moved to suspend the constitutional rule to give the bill a second reading forthwith,

Which was carried ; yeas 28 ; nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Castens, Cooper, Deason, Drake, Edwards, Forney, Foster, Garrett, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, Wood and Woodliff—28.

The bill was read a second time, and referred to the Judiciary Committee.

On motion by Mr. Stansel,

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, November 10th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Petrie.

Upon the call of the Districts the following bills were introduced :

Mr. Kilpatrick, a bill to authorize judges of probate to appropriate when necessary a portion of the principal of the estates of wards for their education and support ;

Mr. Felder, a bill to destroy the cancelled bills or notes of the Bank of Selma now or hereafter received in the office of the Comptroller of Public Accounts ;

Mr. Barnes, a bill to amend section 2396 of the Code of Alabama ;

Also, a bill for the relief of Fannie Tomlinson and Nancy L. Slaughter, wife of Rainy S. Slaughter, of the county of Chambers ;

Mr. Stansel, a bill to authorize executors and administrators to rent lands privately ;

Mr. Jones, a bill for the relief of John P. Earp, of Fayette county ;

Also, a bill to amend section 85 of the Penal Code ;

All of which were severally read the first time, and ordered to a second reading.

Mr. Cooper, presented the account of E. L. McWilliams, sheriff of Wilcox county, against the State ;

Which was referred to the committee on accounts and claims.

On motion by Mr. Edwards :

Resolved, The House of Representatives concurring, that the two houses meet in convention in the Hall of the House, on Monday the 19th inst. at 12 o'clock, M. for the purpose of electing a Secretary of State.

The Senate proceeded to consider the general orders :

The bills, to provide for the collection of the costs due the officers of the court in certain cases where suits have abated by the death of the defendant ;

To make Sarah Elizabeth Marshall a free-dealer ;

To regulate fees of Justices of the peace and constables in Montgomery county ;

To reduce the expense of publishing Supreme Court Reports ;

Fixing the time when certain laws shall take effect ;

And the House bills, to authorize the Commissioners Court of Chambers county, to issue Treasury Notes to pay the present indebtedness of said county, to pay for building bridges, enlarging and repairing the court house and jail, and for other county purposes ;

To authorize the Mayor and Alderman of Huntsville to issue bonds of the Corporation ;

To enlarge and extend the time of holding the Circuit Court in the county of Limestone ;

To authorize the administrator of W. H. Hibblen, dec'd, to rent the lands of his estate ;

For the relief of Seaborn H. Holstein of Tallapoosa county ;

Relating to the guardianship of Anson R. Brackett, and the transfer of his estate ;

To regulate the time of holding the fall term of the Circuit Court in Autauga and Bibb counties ;

Were all severally read the second time and referred to the Judiciary Committee.

The bill to create a new county of portions of Macon, Montgomery, Pike and Barbour counties, to be called the county of Bullock ;

Was read a second time and referred to the committee on County Boundaries.

The bill to incorporate the city of Greenville ;

Was read the second time, and referred to the committee on Corporations.

The bill to make Malinda T. Waugh, of Macon county, a free-dealer ;

Was read the second time, and referred to the committee on Propositions and Grievances ;

As was also the bill for the relief of Allen H. Johnson and James G. Barney, of the county of Tuscaloosa.

The bill for the relief of Abner Cornelius, of Jefferson county,

Was read the second time and referred to the Committee on 16th Sections.

The bill making appropriations for the pay of members and officers of the present General Assembly.

And the House bills,

To remove the Administration of the estate of John Kelley from Wilcox to Marengo county,

To amend the revenue laws as to the county of Autauga and other counties therein named,

To amend the charter of the city of Huntsville,

To fix the time of holding the courts of county commissioners of Marengo county ;

To amend an act entitled "An Act to prohibit the sale of spirituous and vinous liquors within three miles of St. Andrews Chapel, in Washington county ;"

Were all severally read the second time and ordered to a third reading.

The House bill,

To require certain officers of Marengo and Russell counties to reside at the court house or within one mile thereof,

Was read a second time.

Mr. Castens moved to amend by striking out all of the bill that relates to Russell county, which was adopted,

And the bill as amended was referred to the Judiciary Committee.

Mr. Garrett introduced a bill to relieve the tax payers of this State from certain penalties incurred in the assessment of taxes for the year 1866,

Which was read the first time.

Mr. Garrett moved to suspend the constitutional rule to give the bill a second reading forthwith,

Which was carried, yeas 28, nays none.

Yeas Messrs. President, Ashley, Barnes, Bell, Boykin, Cas-

tens, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, and Wood—28.

The bill was read the second time and referred to the Judiciary Committee.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills :

For the relief of Pearce L. Lewis, Canty W. Pitts and Wm. H. Hariss, of Russell county.

To authorize the Mayor of the City of Mobile to take cognizance of and try cases of misdemeanor and discharge the duties of Justice of the Peace.

The House has adopted the following resolutions :

Resolved, (The Senate concurring) that a Joint Committee consisting of four from the Senate and six from the House, be appointed to examine the Revised Code and the changes in the law recommended and report upon the same.

Messrs. McKinstry, Smith, of Choctaw, Whitfield, Goodwin, Lawrence, of Cherokee, and Worthy, are the committee on the part of the House.

Resolved, That a joint committee to consist of three from each house, be appointed to examine the report of J. Whiting, commissioner and trustee.

Messrs. Bethea, Bourland, and Clark, of Mobile, are the House Committee.

The Senate concurred in the above resolutions of the House.

Messrs. Barnes, Lindsay, Forney and Stansel, were appointed the committee on the part of the Senate under the first resolution ;

And Messrs. Felder, Garrett, and Cooper, under the second.

Mr. Powell, from the Judiciary Committee, reported favorably to the bill to repeal sections 104, 105 and 106, of "An act to establish Revenue Laws of the State of Alabama," and to remit the penalties incurred therein.

Mr. Barnes moved to amend the bill by striking out section 2.

Mr. Felder moved to lay the amendment on the table, which was carried.

Mr. Felder moved to suspend the constitutional rule, in order to give the bill a third reading forthwith ;

Which was lost—yeas 19, nays 8.

Yeas—Messrs. President, Bell, Boykin, Castens, Cooper, Deason, Drake, Edwards, Felder, Garrett, Jackson, of Morgan, Kilpatrick, Lindsay, Mitchell, Montgomery, Powell, of Macon, Powell, of Tuscaloosa, Winston, and Woodliff—19.

Nays—Messrs. Ashley, Barnes, Forney, Huckabee, Jackson, of Lauderdale, Slaughter, Stansel, and Sykes—8.

The bill was ordered to a third reading.

The House bills—

For the relief of Pearce L. Lewis, Canty W. Pitts, and William H. Hariss, of Russell county.

To authorize the Mayor of Mobile to take cognizance of and try cases of misdemeanor and discharge the duties of Justice of the Peace ;

Were severally read the first time and ordered to a second reading.

Mr. Jackson, of Lauderdale, offered the following resolution, which, under the rules of the Senate, lies over one day :

Resolved, That the rules of the Senate be amended by striking therefrom, rule No. 45, as follows :

“All motions to suspend the constitutional rule requiring bills to be read on three several days, shall be determined by a call of the ayes and noes.”

Mr. Lindsay introduced a bill to extend the time of making census returns ;

Which was read the first time.

Mr. Lindsay moved to suspend rule No. 45, so as to dispense with the call of the ayes and noes on the motion to suspend the constitutional rule, so as to give the bill three readings forthwith, which was carried.

The constitutional rule was suspended and the bill read a second and third time and passed.

Ordered to be sent forthwith to the House.

Mr. Ashley introduced a bill to authorize the court of county commissioners of Conecuh county, to issue treasury notes and levy a special tax ;

Which was read the first time and ordered to a second reading.

On motion of Mr. Lindsay,

The Senate then adjourned until to-morrow morning, 10 o'clock.

SATURDAY, November 11th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Petrie.

Mr. President laid before the Senate the report of Geo. E. Brewer, Adjutant and Inspector General ;

Which was referred to the Committee on Military Affairs.

Upon the call of the districts the following bills were introduced :

Mr. Kilpatrick, a bill to amend an act to define the relative duties of master and apprentice, approved February 23, 1866;

Mr. President (Mr. Jones in the chair), a bill to prevent delays in the administration of estates ;

Mr. Winston, a bill to establish a scale of depreciation of Confederate currency ;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Forney, a bill to form a new county from portions of Calhoun and Randolph counties, to be called the county of Cleburne ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on County Boundaries.

Mr. Woodliff, a bill to form a new county to be called the county of Stonewall ;

Which was read twice, under a suspension of the constitutional rule, and referred to the same committee.

Mr. Winston presented a petition of citizens of Cherokee county to alter and establish the line between the counties of DeKalb and Cherokee ;

Which was referred to the Committee on County Boundaries.

Mr. Stansel, a bill to regulate the taxing and collecting fees of clerks of circuit and city courts ;

Which was read the first time and ordered to a second reading.

On motion by Mr. Powell of Tuscaloosa,

The call of the Districts was suspended in order to take up and consider the resolution rescinding Rule No. 45, which requires all motions to suspend the constitutional rule to be determined by a call of the ayes and noes.

The resolution was adopted.

Mr. Gage introduced a bill to amend the charter of the Mobile Trade Company ;

Mr. Huckabee, a bill to incorporate the Selma and Tuscaloosa Telegraph Company ;

Also, a bill to incorporate the Home Insurance Company ;

Also, a bill to incorporate the Mutual Insurance Company of Selma ;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Lindsay, from the Judiciary Committee, reported favorably to the House bill—

To enlarge and extend the time of holding the circuit court in Limestone county.

The bill and report were laid on the table.

Mr. Forney, from the same committee, reported adversely to the bill—

To authorize probate judges to resign the office of judge of the county court, under the Penal Code.

The report was concurred in.

Mr. Kilpatrick, from the same committee, reported favorably to the bill—

To make Sarah Elizabeth Marshall a free dealer.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Powell of Tuscaloosa, also favorable to the bill—

For the relief of Wm. F. Hanby, administrator of the estate of David Hanby, deceased, late of Jefferson county.

Mr. Felder also favorably to the bill—

To regulate fees of the justices of the peace and constables in Montgomery county;

Which were ordered to be engrossed for a third reading on to-morrow.

Mr. Edwards, from the Committee on County Boundaries, reported favorably, with amendments, to the bill,

To form a new county, to be called the county of Crenshaw.

The amendments were adopted, and the consideration of the bill was postponed and made the special order for Wednesday next, 11 o'clock.

Message from the House, by Mr. Clanton:

Mr. President :

The House has passed the following Senate bills :

For the relief of the Memphis and Charleston railroad ;

To authorize the court of county commissioners of Tuscaloosa county to levy a special tax ;

The House has originated and passed the following bills :

To amend an act to exempt from levy and sale certain property, for the use of every family, in the counties of Jackson, Madison, Marshall, Lawrence, Limestone, Franklin, and DeKalb ;

To repeal an act establishing the Cane-brake Agricultural District, so far as the county of Dallas is concerned;

To appropriate fines collected from road defaulters to the use of roads and bridges, in the counties of Choctaw, Washington, Fayette, Coosa, Walker, Marion and Winston;

To repeal an act to provide for the indigent sick in the counties of Autauga, Coosa, Pike and Coffee, so far as it relates to the county of Autauga;

To give the probate court of the county of Washington jurisdiction of the estate of Thos. Buford;

To add a section to the charter of Demopolis;

To repeal section 1 of an act to provide for the indigent sick, in the counties of Autauga, Coosa, Pike and Coffee, so far as it applies to the county of Autauga;

To change the time of holding the chancery court for the 9th and 12th districts of the Southern Chancery Division;

To authorize the construction of street railroads in the city of Selma;

For the relief of Montgomery P. Kennon and Carlos Reese;

To protect the owners of stock in Washington county;

To enable the chancery court to decree directly to Julia Desha the estate coming to her under the will of her father, Robert Desha, deceased;

To increase the fees of officers, jurors, and witnesses, in the counties of Autauga, Greene, Sumter, Marengo, Pike, Tallapoosa, Dale, Washington, Limestone, Monroe and Butler.

T. CLANTON, Clerk, *pro tem.*

Mr. Cooper, from the Judiciary Committee, reported favorably to the bill for the relief of Elly Smith and Susan Butler, of Clarke county.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Doster, from the Committee on County Boundaries, reported favorably, with amendments, to the bill to form a new county, to be called the county of Bullock.

The amendments were adopted, and the bill read a third time under the suspension of the constitutional rule, and passed—yeas 28, nays 2.

Yeas—Messrs. President, Ashley, Bell, Boykin, Castens, Cooper, Deason, Drake, Edwards, Forney, Foster, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Powell of Macon, Slaughter, Stansel, Sykes, Winston, Wood, and Woodliff—28,

Nays—Messrs. Felder and Powell of Tuscaloosa—28.

Mr. Deason, from the same committee, reported favorably, with amendments, to the bill to form a new county, to be called the county of Clay, from portions of Talladega and Randolph counties.

The amendments were adopted, and the bill re-committed to the same committee.

The Senate proceeded to the consideration of the

GENERAL ORDERS.

The bills to repeal sections 104, 105 and 106, of "an act to establish revenue laws of the State of Alabama," and to remit the penalties incurred therein ;

Making appropriations for the pay of members of the present General Assembly.

And the House bills—

To remove the administration of the estate of John Kelly from Wilcox to Marengo county ;

To amend the revenue laws as to the county of Autauga, and other counties therein named ;

To amend the charter of the city of Huntsville ;

To fix the time of holding the Commissioners Court of Marengo county ;

To amend "An act to prohibit the sale of liquors within three miles of St. Andrews Chappel, in Washington ;

Were severally read the third time, under the suspension of the constitutional rule, and passed.

The bills to authorize Judges of Probate to appropriate, when necessary, a portion of the principal of the estates of wards for their education and support ;

To amend section 2396 of the Code ;

To authorize executors and administrators to rent lands privately ;

To amend section 85 of the Penal Code ;

For the relief of Fannie Tomlinson, wife of James B. Tomlinson and Nancy L. Slaughter, of the county of Chambers ;

To authorize the Court of County Commissioners of Conecuh county to issue Treasury Notes, and to levy a special tax ;

Another House bill, to authorize the Mayor of the city of Mobile to take cognizance of and try cases of misdemeanor and discharge the duties of Justice of the Peace.

The bill to destroy the cancelled bills or notes of the Banks of Selma, now or hereafter received in the office of the Comptroller ;

Was read a second time, and referred to the committee on Banks and Banking;

The bill for the relief of John P. Earp, of Fayette county,
Was read a second time, and referred to the committee on Accounts and Claims.

The House bill for the relief of Pearce L. Lewis, Canty W. Pitts and William H. Haris, of Russell county;

Was read the second and third times, under a suspension of the constitutional rule, and passed.

The House bills to increase the fees of officers, jurors and witnesses, in the counties of Autauga, Greene, Sumter, Marengo, Pike, Tallapoosa, Dale, Washington, Limestone, Monroe and Butler;

To enable the Chancery Court to decree directly to Julia Desha, the estate coming to her under the will of her father, Robert Desha, deceased;

To protect the owners of stock in Washington county;

To authorize the construction of Street Railroads in the city of Selma;

To repeal section one of "An act to amend an act to provide for the indigent sick in the counties of Autauga, Coosa, Pike and Coffee, and for other purposes," so far as the same relates to the county of Autauga;

To add a section to the charter of the city of Demopolis;

To give the Probate Court of Washington county jurisdiction of the estate of Thomas Buford;

To repeal "An act to provide for the indigent sick of the counties of Autauga, Coosa, Pike and Coffee, so far as it relates to the county of Autauga;

To repeal "An act establishing the Canebrake Agricultural District," so far as the county of Dallas is concerned.

To change the time of holding the chancery court in the the 9th and 12th district of the southern division;

Were severally read the first time and ordered to a second reading.

The House bill for the relief of Montgomery P. Kennon and Carlos Reese, Jr., was read twice under a suspension of the constitutional rule.

Mr. Powell of Tuscaloosa moved to lay the bill on the table, which was lost, and the bill was ordered to a third reading on to-morrow.

The House bill to appropriate fines collected from road defaulters to the use of roads and bridges in the counties of Choctaw, Washington, Fayette, Coosa, Walker, Marion and Winston was read twice, under a suspension of the Constitu-

tional rule, and referred to the Committee on Roads, Bridges and Ferries.

The House bill to amend "An act to exempt from levy and sale certain property for the use of each family in the counties of Jackson, Madison, Marshall, Lawrence, Limestone, Franklin and DeKalb", was read three times under a suspension of the constitutional rule, and passed.

On motion by Mr. Lindsay,

The Senate then adjourned until to-morrow morning 10 o'clock.

MONDAY, November 19th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Davis.

Upon the call of the Districts the following bills were introduced :

Mr. Wood, a bill to regulate the appointment of overseers and supervisors of public roads in the county of Henry ;

Which was read three times under a suspension of the constitutional rule, and passed.

Mr. Cooper, a bill to incorporate the Wilcox Monumental Association ;

Mr. Powell of Tuscaloosa, a bill to compel the cashier of the chartered banks to protest their bills when presented for redemption ;

Which were severally read the first time, and ordered to a second reading.

Mr. Stansel, a bill—

To repeal sections 8, 9 and 10, and to amend section 11 of "an act to establish the Cane brake Agricultural District," to provide for securing the same, and the management of its affairs ;

Which was read twice, under a suspension of the constitutional rule, and referred to a select committee, to be composed of Messrs. Huckabee, Cooper, and Moren.

Mr. President, (Mr. Powell of Macon in the chair,) a bill to repeal section 75 of the Code, and to shorten the time allowed for printing the laws ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on State Printing.

Also, a bill to reduce the expense of litigations in the chancery court ;

Mr. Powell of Tuscaloosa, a bill to prevent trespass, in certain cases ;

Mr. Stansel, a bill to extend the provisions of an act therein named, to the county of Pickens;

Mr. Norwood, a bill declaring Nancy Snodgrass and Virginia Stewart, of Jackson county, free dealers;

Mr. Powell of Macon, a bill to allow Jonathan Cooper, of Macon county, to peddle within said county, free of tax;

Mr. Gage, a bill to incorporate the New Orleans, Mobile and Chattanooga Railroad Company;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Garrett, a bill to secure more effectually the assessment of taxes in this State;

Mr. Jones, a bill to furnish certain volumes of the Supreme Court Reports to Fayette county;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Jones, a bill to authorize the secretary of state to issue a patent to Geo. Brown, of Marion county, for certain lands therein described;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on 16th Sections.

Mr. Lindsay, a bill to declare Mrs. Elizabeth Greenhill, of Franklin county, a free dealer;

Which was read twice, under a suspension of the constitutional rule, and laid on the table.

Also, a bill to provide for the insertion of certain laws in the Code of Alabama;

Which was read three times, under a suspension of the constitutional rule, and passed.

Mr. Jackson of Lauderdale, a bill for the relief of S. B. Hudson, sheriff of Lauderdale county;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

Also, presented a petition for the relief of Moses White, of Lauderdale county, which was referred to the Judiciary Committee.

Mr. President laid before the Senate the report of the Hon. M. H. Cruikshank, commissioner for the destitute of the State, which was referred to the Committee on Finance and Taxation.

Message from the House by Mr. Clanton.

Mr. President :

The House has originated and passed the following bills :

To increase the fees of public officers of Mobile county ;

To regulate fees of jurors and witnesses of the county of Chambers ;

To incorporate Opelika Cemetery ;

For the relief of Isaac Ross, of Macon county ,

To authorize voters in beat No. 9, in Barbour county, to elect an additional constable ;

Allowing additional compensation to jurors in the county of Winston :

To grant right of way to the Stone Street railroad, in Mobile county ;

To amend an act to regulate judicial proceedings, approved February 20, 1866 ;

To compensate owners of property in the city of Mobile, where new streets are made, or any alteration, repair, improvement, or amendment of any street is made ;

To change the time of holding fall terms of Chancery Courts in Chambers and Tallapoosa districts in the Southern Division.

The House asks permission to withdraw a bill sent to the Senate,

To amend "An act to exempt from levy and sale certain property for the use of every family in the counties of Jackson, Madison, Marshall, DeKalb, Lawrence and Limestone.

T. CLANTON, Clerk.

Ordered by the Senate, that the above bill be returned to the House in accordance with its request.

Mr. Garrett offered the following resolution :

Resolved, That a select committee to inquire into and report to the Senate what is the existing ratio of representation.

Mr. Lindsay moved to strike out "a select committee," and insert "the committee on County Boundaries," which was carried.

Mr. Felder moved to add as follows : "According to the census of 1855,"

Which was carried, and the resolution, as amended, was adopted.

On motion by Mr. Deason,

Resolved, That the Committee on County Boundaries be instructed to take no action on bills for the formation of new counties that do not specify the amount of territory and population contained in such county.

On motion by Mr. Garrett, the Governor's message was taken from the table.

On motion by Mr. Garrett,

Resolved, That so much of the message of His Excellency, the Governor, as relates to the judiciary and collection of debts, be referred to the Committee on the Judiciary.

Resolved, That so much as relates to the State credit, the revenue laws, the United States land tax, the Paris Exposition, and supplies for the destitute, be referred to the Committee on Finance and Taxation.

Resolved, That so much as relates to the banks, be referred to the Committee on banks and banking.

Resolved, That so much as refers to the penitentiary be referred to the Committee on the Penitentiary.

Resolved, That so much as relates to the tax on cotton and the constitutional amendment, be referred to the Committee on Federal Relations.

Resolved, That so much as refers to the insane hospital be referred to the Committee on Insane Hospital.

Resolved, That so much as refers to the freedmen be referred to the Committee on Freedmen.

Resolved, That so much as refers to the University and common school, be referred to the Committee on Education.

Resolved, That so much as refers to the 16th section fund, be referred to the Committee on 16th Sections.

Resolved, That so much as refers to the Deaf and Dumb Institution, be referred to the Committee on the Deaf and Dumb Asylum.

Resolved, That so much as refers to the maimed and disabled soldiers be referred to the Committee on the Military.

Resolved, That so much as relates to internal improvements and railroad lands be referred to the Committee on Internal Improvements.

Mr. Powell, of Tuscaloosa, reports as correctly enrolled a bill to authorize the court of county commissioners of Tuscaloosa county, to levy a special tax.

Also from the Judiciary Committee favorably to the House bill to provide for the future proceedings in the Probate court of Mobile county, and to ratify the proceedings of the Hon. Geo. W. Bond, acting as Judge of said court ;

The bill was read a third time under a suspension of the constitutional rule and passed.

Ordered that it be sent forthwith to the House.

Mr. Kilpatrick from the Judiciary Committee, to which was referred the bill for the relief of Fannie Tomlinson, wife of

James B. Tomlinson, and Nancy L. Slaughter, wife of Rainy L. Slaughter, of Chambers county, asked leave to be discharged from the further consideration of the bills and recommended that a select committee of three be appointed, to which shall be referred all bills for special relief ;

The report was concurred in.

Messrs. Kilpatrick, Slaughter, and Powell, of Macon, were appointed the select committee.

Also from same committee, adversely to the bill to prevent malicious mischief ;

Which was concurred in and the bill lost.

The House bills—

To amend an act to regulate Judicial proceedings, approved February 20, 1866,

Allowing additional compensation to jurors in Winston county ;

To incorporate the Opelika cemetery ;

Were severally read the first time and ordered to a second reading.

The House bills—

To authorize compensation to owners of property in the city of Mobile, where new streets are made, &c. ;

For the relief of Isaac Ross, of Macon county ;

Were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill—

To grant right of way to the State Street Railroad, in Mobile county ;

Was read twice under a suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

The House bill—

To authorize the voters in beat No. 9, in Barbour county, to elect an additional constable ;

To change the time of holding the present fall terms of the chancery court of Chambers and Tallapoosa districts, in the southern division ;

Were severally read three times under a suspension of the constitutional rule and passed.

The House bill—

To regulate the fees of jurors and witnesses of Chambers county ;

Was read twice under a suspension of the constitutional rule, and ordered to a third reading.

The House bill—

To increase the fees of public officers of Mobile county

Was read twice under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The bills for the relief of Wm. F. Hanby, administrator of the estate of David Hanby, deceased, late of Jefferson county ;

To regulate fees of justices of the peace and constables in Montgomery county ;

And the House bills—

For the relief of Montgomery P. Kennon and Carlos Reese, Jr., were severally read a third time and passed.

The House bills—

To protect the owners of stock in Washington county ;

To enable the chancery court to decree directly to Julia Desha, under the will of her father Robert Desha, deceased ;

Were severally read a second and third time and passed.

The House bills—

To increase the fees of officers, jurors and witnesses in the counties of Autauga, Greene, Sumter, Marengo, Pike, Tallapoosa, Dale, Washington, Limestone, Monroe and Butler ;

To authorize the construction of street railroads in the city of Selma ;

To add a section to the charter of the city of Demopolis ;

To give the probate court of the county of Washington jurisdiction of the estate of Thomas Buford ;

To repeal an act to provide for the indigent sick in the counties of Autauga, Coosa, Pike and Coffee, so far as it relates to the county of Autauga ;

To change the time of holding the chancery court for the 9th and 12th districts of the Southern division ;

And the Senate bills—

To regulate the taxing and collecting fees of clerks of circuit and city courts ;

Were severally read a second time and referred to the Committee on the Judiciary.

The House bill to repeal “an act establishing the Canebrake Agricultural District,” so far as the county of Dallas is concerned ;

Was read a second time and referred to a Select Committee of three, composed of Messrs. Huckabee, Cooper and Moren.

Mr. Barnes, from the Judiciary Committee, reported favorably to the bill, with amendments, fixing the time when certain laws shall take effect.

The amendments were adopted, and the bill read a third time and passed.

On motion by Mr. Deason,

Resolved, That the Committee on Internal Improvements be

instructed to inquire into the present necessity of developing the mineral resources of the State, and revising the geological reports of the same and report by bill or otherwise.

Mr. Sykes, from the Committee on Banks and Banking, reported favorably to the bill "to amend an act to incorporate the Northern Bank of Alabama."

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Forney, from the Judiciary Committee, reported favorably to the bill "to authorize the court of county commissioners of Conecuh county to issue treasury notes, and levy a special tax.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Lindsay, from the Committee on Corporations, reported favorably, with amendments, to the bill

To incorporate the "Tuscumbia Savings Association."

The amendments were adopted, and the bill read a third time, under a suspension of the constitutional rule and passed.

Mr. Winston, from the Judiciary Committee, reported favorably to the bill to amend section 2396 of the Code.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Cooper, from the Judiciary Committee, reported favorably to the bill for the relief of Rodolph Hottinguer.

The bill was ordered to a third reading.

On motion by Mr. Deason,

The Senate then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, November 20th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Davis.

Mr. President laid before the Senate a communication from Mr. J. C. Davis of Montgomery, requesting the appointment of a committee to settle and adjust the partnership between himself and the State on a cotton card manufactory, which was referred to the Committee on Accounts and Claims.

Upon the call of the Districts, the following bills were introduced :

Mr. Kilpatrick, a bill to amend the 3d paragraph of section 4 of chapter 1 of "an act to establish revenue laws of the State of Alabama," approved February 22d, 1866 ;

Mr. Ashley, a bill to provide blank books for records in Conecuh county ;

Mr. Garrett, a bill to repeal an act to authorize the payment of turnkey fees of jailors in this State, approved January 18th, 1866 ;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

Mr. Felder, a bill to prevent the abatement of prosecutions;

Which was read the first time and ordered to a second reading.

Also, a bill to make Mrs. Maria L. Atkinson, wife of E. E. Atkinson, of Montgomery, a free-dealer ;

Which was read twice, under a suspension of the constitutional rule, and referred to the select committee of which Mr. Kilpatrick is chairman.

Also, a bill to declare Elizabeth Parish, of Montgomery, a free-dealer ;

Which was read twice, under a suspension of the constitutional rule, and referred to the same select committee.

Mr. Stansel, a bill to regulate the issuing and return of executions from the county court ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Stansel, from the Judiciary Committee, reported favorably to the House bill—

To add a section to the charter of the city of Demopolis ;

Also, favorably to the bill to authorize executors and administrators to rent lands privately.

Mr. Foster, from the Judiciary Committee, reported favorably to the House bill—

To authorize the mayor of the City of Mobile to take cognizance of and try cases of misdemeanor, and to discharge the duties of justice of the peace ;

Mr. Lindsay, from the same committee, reported favorably to the bill—

To extend the provisions of an act to the county of Pickens ;
The amendments were adopted.

Also, from same committee, favorably to the House bills—

To repeal "An act to provide for the indigent sick in the counties of Autauga, Coosa, Pike and Coffee," so far as relates to the county of Autauga ;

To repeal section one of "An act to amend an act to provide for the indigent sick in the counties of Autauga, Coosa, Pike and Coffee," so far as it applies to the county of Autauga ;

To require certain officers of Marengo county to reside at the court house, or within one mile thereof ;

For the relief of Isaac Ross of Macon county ;

Mr. Jones from the same committee, reported favorably to the House bill, to authorize the Mayor and Aldermen of Huntsville, to issue the bonds of said corporation ;

And the Senate bill to allow Jonathan Cooper of Macon county, to peddle in said county free of tax ;

Mr. Winston, from the same committee, reported favorably with an amendment to the bill, to amend an act to define the relative duties of Master and Apprentice ;

The amendment was adopted ;

Mr. Cooper from the same committee, reported favorably to the bill, for the relief of Seaborn H. Holstein of Tallapoosa county ;

Mr. Barnes from same committee, reported favorably to the House bills—

To give the Probate Court of Washington county, jurisdiction of the estate of Thomas Bradford ;

To regulate the time of holding the Circuit Court in St. Clair county ;

All of which were severally read a third time under a suspension of the constitutional rule, and passed.

Mr. Winston from the Judiciary Committee, to which was referred the following bills—

For the relief of Allen H. Johnson and James G. Barney ;

To make Malinda F. Waugh, of Macon county a free-dealer ;

To make Mrs. Jane Jones, wife of James A. Jones, of Macon county, a free-dealer,

Asked to be discharged from the further consideration of the same, and that they be referred to the select committee, of which Mr. Kilpatrick is chairman ;

The bills were so referred.

Mr. Winston from the same committee, reported favorably to the House bill—

To change the time of holding the fall term of the Circuit Court in the counties of Autauga and Bibb ;

Which was read a third time, under a suspension of the constitutional rule, and laid on the table.

Mr. Forney, from the Judiciary Committee, reported favorably to the House bill—

To authorize the Commissioners Court of Chambers county to issue Treasury Notes to pay the present indebtedness of said county, to pay for building bridges, enlarging and repairing the court house and jail, and for other county purposes ;

Mr. Felder moved to amend by inserting the county of Montgomery, after the county of Chambers, so as to make the provisions of the bill applicable to said county ;

Which was adopted,

And the bill was read a third time, under a suspension of the constitutional rule, and passed.

The title was amended by inserting "and Montgomery counties," after Chambers.

Mr. Forney, from the Judiciary Committee, to which was referred the bill declaring Nancy Snodgrass and Virginia Stewart, of Jackson county, free dealers, asked to be discharged from the further consideration, and that it be referred to the select committee of which Mr. Kilpatrick was chairman.

Mr. Cooper, from same committee, reported adversely to the bill to prevent delays in the administrations of estates ;

The report was concurred in.

On motion by Mr. Lindsay,

The bill to declare Elizabeth D. Greenhill, of Franklin county, a free dealer, was taken from the table and referred to the select committee of which Mr. Kilpatrick is chairman.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported adversely to the House bill relating to the guardianship of Anson R. Brackett, and the transfer of his estate ;

The report was concurred in.

Mr. Stansel, from same committee, reported favorably to the House bill to authorize compensation to owners of property in the city of Mobile, when new streets are made, or any alteration, repair, improvement, or amendment of any street is made.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Message from His Excellency the Governor, by his Private Secretary, Mr. Screws :

Mr. President :

His Excellency the Governor has this day approved a bill which originated in the Senate,

For the relief of the Memphis and Charleston Railroad Company.

The Senate proceeded to consider the

GENERAL ORDERS.

The bill to compel the cashier of the chartered banks to pro-

test their bills when presented for redemption, was read a second time, and referred to the Committee on Banks and Banking.

The bill to incorporate the Wilcox Monumental Association;
And the House bill—

To allow additional compensation to jurors in Winston county;

Were severally read a second and third time, under the suspension of the constitutional rule, and passed.

The House bill—

To incorporate the Opelika Cemetery;

Was read a second time, and referred to the Committee on Corporations.

The House bill—

To amend an act to regulate judicial proceedings, approved February 20th, 1866;

Was read a second time and referred to the Committee on Judiciary.

The bill for the relief of Rodolphe Hottinguer, and the House bill to regulate the fees of jurors and witnesses of the county of Chambers;

Were severally read a third time, and passed.

On motion by Mr. Garrett:

Resolved, That the Comptroller of Public Accounts report to the Senate the amount paid to public officers for back pay as salaries prior to the inauguration of the Provisional Government of Alabama, to whom paid, and the amount paid to each, and the authority or decision under which such payments were made. Also, the amount of claims presented and filed upon which payment has been withheld.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed the following resolution :

WHEREAS, Section 22 of the 4th article of the Constitution of Alabama requires that the General Assembly shall make provision by law for obtaining correct knowledge of the several objects proper for improvement in relation to the roads and navigable waters in this State, and for making a systematic and economical application of the means appropriated to those objects. Therefore,

Resolved, the Senate concurring, That a committee of five on the part of the House be appointed by the chair, to act with a like committee on the part of the Senate, to whom the

requirements of the section aforesaid shall be referred, for such action as may be necessary to carry its purposes into practical effect.

Committee on the part of the House, Messrs. Clark of Mobile, Ellis, Whitfield, Lanier and Owens.

T. CLANTON, Clerk.

The Senate then took a recess for fifteen minutes; at the expiration of which time,

Mr. President called the Senate to order, when it proceeded to vote *viva voce* for a Senator in the Congress of the United States, to fill the vacancy caused by the expiration of the term of service of Hon. George S. Houston, to take effect on the 4th day of March, 1867.

Mr. Jones placed in nomination the name of John A. Winston of Sumter county.

Mr. Drake placed in nomination the name of George S. Houston, of Limestone county.

Mr. Montgomery placed in nomination the name of A. B. Cooper, of Wilcox.

Mr. Bell put in nomination the name of T. M. Mathews, of Dallas county.

On the first ballot; those who voted for Mr. Winston are, Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Stansel, Winston, and Wood—10.

Those who voted for Mr. Houston are :

Messrs. Barnes. Castens, Drake, Edwards, Felder, Jackson, of Morgan, Sykes—7.

Those who voted for Mr. Cooper are :

Messrs. President, Ashley, Boykin, Deason, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, Slaughter, Woodliff—13.

Mr. Bell voted for Mr. Matthews.

Neither one having received a majority, the Senate proceeded to ballot again.

On the second ballot, those who voted for Mr. Winston are :

Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Stansel, Winston, Wood—10.

Those who voted for Mr. Houston are :

Messrs. Barnes, Castens, Drake, Edwards, Felder, Jackson of Morgan, Sykes—7.

Those who voted for Mr. Cooper are :

Messrs. President, Ashley, Boykin, Deason, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, Slaughter, Woodliff—13.

Mr. Bell voted for Mr. Matthews—1.

On motion by Mr. Barnes, the Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, November 21.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Davis.

On motion by Mr. Powell, of Tuscaloosa, the vote concurring in the adverse report of the committee upon the House bill relating to the guardianship of Anson R. Brackett and the transfer of his estate, was reconsidered, and the bill was recommitted to the Judiciary Committee.

Upon the call of the Districts, the following bills were introduced :

Mr. Kilpatrick, a bill to regulate the compensation of members of the commissioner's court of Clarke county ;

Mr. Deason, a bill to authorize J. B. Earle, executor of Thomas J. Wright, deceased, to sell the cotton belonging to the estate of said Wright, at private sale.

Mr. Stansel, a bill to authorize the commissioners court of Pickens county to levy a special tax.

Also, a bill to regulate the fees of the Judge of Probate of Pickens county ;

Were severally read three times under a suspension of the constitutional rule and passed.

Mr. Powell, of Macon, a bill to incorporate the Alabama Express Company ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Felder, a bill to extend the powers of the City Council of Montgomery, so as to authorize the issuing of notes amounting to \$100,000, to aid the Montgomery and Eufaula Railroad Company.

Mr. Lindsay, a bill to regulate the fees of Registers in Chancery ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Deason, a bill to repeal "An act in relation to working on public roads," approved August 29, 1863 ;

Which was read twice under a suspension of the constitutional rule, and laid on the table.

Mr. Norwood, a bill to furnish books to the counties of Jackson, Madison, and DeKalb.

Mr. Lindsay, a bill to relieve the Trustees of LaGrange College, in Franklin county ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Garrett presented a communication from Hon. A. J. Walker, Chief Justice of the Supreme Court, in relation to an act passed at the last session of the General Assembly, in relation to the printing of the Supreme Court Reports ;

Which was referred to the Committee on Finance and Taxation.

Mr. Forney presented a petition from citizens of Talladega, Calhoun, and Randolph counties, praying the formation of a new county to be called the county of Chocologco ;

Which was referred to the Committee on County Boundaries.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills :

To incorporate the New Orleans, Mobile and Chattanooga Railroad Company.

T. CLANTON, Clerk.

Mr. Kilpatrick from the Judiciary Committee, reported favorably to the bill

To authorize Judges of Probate to appropriate when necessary, a portion of the principal of estate of wards for their education and support ;

The bill was read a third time under a suspension of the constitution rule and passed.

Mr. Forney from same committee, reported adversely to the bill to reduce the expense of litigation in Chancery court ;

The report was concurred in.

Mr. Jones from the Committee on Corporations, reported favorably, with the amendments, to the bill to incorporate the town of Livingston, in Sumter county. The amendments were adopted ;

And the bill read a third time under a suspension of the constitutional rule and passed.

Mr. Powell, of Tuscaloosa, from the Judiciary Committee, reported adversely to the bill to amend section 1519 of the Code ;

The report was concurred in.

Mr. Foster, from the Committee on Accounts and Claims, re-

ported favorably, with an amendment, to the bill for the relief of S. B. Hudson, Sheriff of Lauderdale county ;

The amendment was adopted and the bill read a third time and passed.

The bill was amended by adding the following : And E. C. McWilliams, Sheriff of Wilcox county.

Mr. Gage, from the Committee on Finance and Taxation, reported favorably with an amendment to the House bill to increase the fees of public officers of Mobile county ;

The amendment was adopted and the bill read a third time under the suspension of the constitutional rule and passed.

The hour of 11 o'clock having arrived, the Senate proceeded to consider the special order ;

Which was the bill to establish a new county to be called the county of Crenshaw.

Mr. Felder moved to amend the 1st section as follows :

Strike out all the territory above the township line dividing townships 10 and 11, and East of the range line dividing ranges 16 and 17 ;

Which was lost.

Also, moved to recommit the bill to the Committee on County Boundaries ;

Which was lost.

Also, moved to amend section 1, as follows :

Strike out township 12, range 18, in Montgomery county, and insert township 6, range 18 ;

Which was adopted ;

And the bill was read a third time under a suspension of the constitutional rule, and passed ;

Yeas 26, nays 2 ;

YEAS—Messrs. Mr. President, Ashley, Barnes, Bell, Boykin, Castens, Cooper, Deason, Drake, Edwards, Forney, Foster, Garrett, Huckabee, Jackson, of Lauderdale, Jackson, of Morgan, Kilpatrick, Mitchell, Montgomery, Powell, of Macon, Powell, of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, and Woodliff—26.

NAYS—Messrs. Felder and Jones—2.

The House bill—

To incorporate the New Orleans, Mobile and Chattanooga Railroad Company,

Was read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Lindsay, from the Judiciary Committee, reported adversely to the bill—

To amend section 85 of the Penal Code ;

Which was concurred in.

The Senate proceeded to consider the House resolution, transmitted in a message on yesterday, appointing a joint committee of five from each house, to carry into effect the requirements of article 4, section 32, of the Constitution ;

The Senate concurred in the resolution ;

Messrs. Winston, Gage, Huckabee, Mitchell and Felder, were appointed the committee on the part of the Senate.

Message from the House by Mr. Clanton :

Mr. President :

The House has adopted the following resolution :

Resolved, The Senate concurring, that a committee of three be appointed to act with a like committee on the part of the Senate, to take into consideration the best mode and manner of regulating judicial proceedings, and report by bill or otherwise.

Messrs. Echols, Smith of Choctaw, and Worthy, are the House committee.

The Senate concurred in the resolutions of the House, and Messrs. Barnes, Sykes, and Lindsay, were appointed the committee on the part of the Senate.

The hour of 12 o'clock having arrived, the Senate was invited into the Hall of the House, for the purpose of counting the vote for Senator in the Congress of the United States to fill the vacancy occasioned by the expiration of the term of service of Geo. S. Houston, to take effect the 4th day of March, 1867.

The Senate repaired to the Hall of the House, when the journal of each House containing the record of the vote given for United States Senator on yesterday, in compliance with the act of Congress, regulating the time and manner of holding elections for U. S. Senator, approved ———, 1866, was read.

No person having received a majority of both houses of the General Assembly, the two houses in convention proceeded to the election.

The names of Geo. S. Houston, John A. Winston, and A. B. Cooper, being placed in nomination.

On the first ballot, those who voted in the affirmative are— Messrs. Castens, Deason, Drake, Edwards, Felder, Jackson of M., and Sykes of the Senate; and Messrs. Speaker, Ash, Ashford, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotton, Culver, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Ledbetter, Malone, Malloy, Manasco, McAlexander, McBee, McCain, McCoy, of Tallapoosa, McLes-

ter, Meadors, Moore, Owens, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Robinson of Chambers, Smith of Jackson, Steadham, Thorn, Vansandt, Williams of Jackson, Williams of Randolph, and Wilhite of the House—51.

Those who voted for Mr. Winston are—

Messrs Bell, Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Stansel, Winston and Wood, of the Senate; and Messrs. Brandon, Davis of Bibb, Echols, Goldthwaite, Grant, Hare, Henry, Humphrey, Lanier, Lawrence of Fayette, Mabry, McKinstry, Morse, Oliver, Pierce, Robinson of Baldwin, Seawell, Smith of Choctaw, Sturdivant, Thrasher, Tompkins, Waller, Warren of DeKalb, Whitfield, Woolf, and Younge, of the House—38.

Those who voted for Mr. Cooper are—

Messrs. President, Ashley, Barnes, Boykin, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, and Woodliff, of the Senate; and Messrs. Bethea, Borden, Caffey, Chapman, Clark of Mobile, Cox, Craig, Crenshaw, Davis of Barbour, Ellis, Faulk, Hardie, Hawthorne, Judkins, Lawrence of Cherokee, Leeper, McCann, McMillan, Odum, Pipkin, Stringer, and Worthy of the House—34.

SECOND BALLOT.

Those who voted for Mr. Houston are—

Messrs. Castens, Drake, Edwards, Felder, Jackson of Morgan, and Sykes, of the Senate; Messrs. Speaker, Ashford, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Ledbetter, Malone, Malloy, Manasco, McAlexander, McBee, McCain, McCoy of Tallapoosa, McLester, Meadors, Moore, Owens, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Robinson of Chambers, Smith of Jackson, Steadham, Thorn, Vandsandt, Williams of Jackson, Williams of Randolph, Wilhite, Woolf, Worthy, and Younge, of the House—49.

Those who voted for Mr. Winston are—

Messrs. Bell, Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Stansel, Winston, and Wood, of the Senate; Messrs. Ash, Brandon, Davis of Bibb, Echols, Grant, Hare, Henry, Humphrey, Lanier, Lawrence of Fayette, Lindsey, Mabry, McKinstry, Morse, Oliver, Pierce, Robinson of Baldwin, Seawell, Smith of Choctaw, Sturdivant, Thrasher,

Waller, Warren of DeKalb, Whitfield, and Woolf, of the House—36.

Those who voted for Mr Cooper are—Messrs. President, Ashley, Boykin, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, and Woodliff, of the Senate. And Messrs. Bethea, Caffey, Chapman, Clark of Mobile, Cox, Craig, Davis of Barbour, Ellis, Faulk, Hardie, Hawthorne, Lawrence of Cherokee, Leeper, McCann, McMillan, Odum, Pipkin, and Stringer, of the House—29.

Those who voted for Mr. Langdon are—Mr. Barnes, of the Senate, and Messrs. Borden, Crenshaw, Culver, Goldthwaite, Judkins, Tompkins, Worthy and Younge, of the House—9.

Neither candidate having received a majority of all the votes, Mr. Barnes, of the Senate, moved that the Convention adjourn;

Which motion was lost—yeas 59, nays 66.

YEAS—Messrs. Ashley, Barnes, Bell, Castens, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Montgomery, Norwood, Stansel, Winston, and Wood, of the Senate; and Messrs. Ash, Bethea, Brandon, Caffey, Clarke, of Mobile, Culver, Davis, of Barbour, Echols, Edwards, Ellis, Faulk, Goldthwaite, Hand, Hardie, Hare, Hawthorne, Henry, Humphrey, Judkins, Lanier, Leeper, Lindsay, Mabry, Malloy, McAlexander, McCann, McCoy, of Tallapoosa, McKinsty, McLester, McMillan, Meadors, Odum, Pipkin, Raisler, Robinson, of Baldwin, Seawell, Sturdivant, Thrasher, Waller, and Worthy, of the House—59.

NAYS—Messrs. President, Boykin, Deason, Drake, Edwards, Felder, Jackson, of Morgan, Mitchell, Powell of Macon, Powell, of Tuscaloosa, and Woodliff, of the Senate: and Messrs. Speaker, Ashford, Bankhead, Borden, Bourland, Bush, Calloway, Chapman, Clarke of Lawrence, Connelly, Cotten, Cox, Craig, Crenshaw, Davis, of Bibb, Dobson, Doster, Freeman, Gafford, Gibson, Goodwin, Grant, Lawrence, of Cherokee, Lawrence, of Fayette, Ledbetter, Malone, Manasco, McBee, McCain, Moore, Morse, Oliver, Owens, Palmer, Padgett, Pierce, Plowman, Potter, Richardson, Robinson, of Chambers, Smith, of Choctaw, Smith, of Jackson, Steadham, Stringer, Thorn, Tompkins, Vansandt, Warren, of DeKalb, Whitfield, Williams, of Jackson, Williams, of Randolph, Wilhite, and Woolf, of the House—66.

The convention proceeded to ballot a third time.

THIRD BALLOT.

Those who voted for Mr. Houston are—

Messrs. Deason, Drake, Edwards, Felder, Jackson of Morgan, of the Senate; and Messrs. Speaker, Ashe, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Ledbetter, Leeper, Malone, Malloy, Manasco, McAlexander, McBee, McCain, McCoy of Tallapoosa, McLester, Moore, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Robinson of Chambers, Smith of Jackson, Steadham, Thorn, Vansandt, Williams, of Jackson, Williams of Randolph, and Wilhite, of the House—47.

Those who voted for Mr. Winston are:

Messrs. Bell, Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Stansel, Winston, Wood, of the Senate; and Messrs. Ashe, Brandon, Davis of Bibb, Echols, Grant, Hare, Henry, Humphrey, Lanier, Lawrence of Fayette, Lindsey, Mabry, Morse, Oliver, Pierce, Robinson of Baldwin, Seawell, Smith of Choctaw, Sturdivant, Thrasher, Waller, Warren of DeKalb, Whitfield, and Woolf, of the House—35.

Those who voted for Mr. Langdon are—

Messrs. Boykin and Castens, of the Senate; Messrs. Borden, Chapman, Cox, Crenshaw, Culver, Davis of Barbour, Goldthwaite, Hardie, Judkins, Lawrence of Cherokee, Meadors, Tompkins, Worthy and Younge, of the House—16.

Those who voted for Mr. Cooper are—

Messrs. President, Ashley, Barnes, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, and Woodliff, of the Senate; and Messrs. Bethea, Caffey, Clark of Mobile, Craig, Ellis, Faulk, Hawthorne, McCann, McMillan, Odum, Pipkin, and Stringer, of the House—23.

Neither candidate having received a majority of all the votes cast, Mr. Bethea moved that the convention do now adjourn;

Which was carried. Yeas 70; Nays 50.

YEAS—Messrs. Ashley, Barnes, Bell, Boykin, Castens, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Powell of Macon, Stansel, Winston, Wood, and Woodliff, of the Senate; Messrs. Speaker, Ash, Bethea, Brandon, Caffey, Chapman, Clark of Mobile, Craig, Culver, Davis of Barbour, Echols, Faulk, Goldthwaite, Grant, Hand, Hardie, Hare, Hawthorne, Henry, Humphrey, Judkins, Lanier, Leeper, Lindsey, Mabry, Malone, McAlexander, McCann, McKinsty, McLester,

McMillan, Meadors, Morse, Odum, Pipkin, Plowman, Raisler, Robinson of Baldwin, Smith of Choctaw, Sturdivant, Thrasher, Tompkins, Waller, Warren of DeKalb, Whitfield, Williams of Randolph, Worthy and Younge, of the House—70.

Those who voted Nay are :

Messrs. President, Deason, Drake, Edwards, Felder, Jackson of Morgan, and Sykes, of the Senate ; Messrs. Ashford, Bankhead, Borden, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Cox, Crenshaw, Doster, Edwards, Ellis, Freeman, Gafford, Gibson, Goodwin, Lawrence of Cherokee, Lawrence of Fayette, Ledbetter, Malloy, Manasco, McBee, McCain, Moore, Oliver, Palmer, Padgett, Pierce, Potter, Richardson, Robinson of Chambers, Seawell, Smith of Jackson, Steadham, Stringer, Thorn, Vansandt, Williams of Jackson, Wilhite, and Woolf, of the House—50.

The Senate returned to its chamber ;

And on motion by Mr. Powell of Macon, adjourned until to-morrow morning 10 o'clock.

THURSDAY, November 22d.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Jordan.

Upon the call of the Districts the following bills were introduced—

Mr. Gage, a bill incorporating the Southern Life Assurance and Trust Company of Mobile ;

Also, a bill to amend an act to incorporate the Citizens Mutual Insurance Company of Mobile ;

Also, a bill to amend an act to incorporate the Planters and Merchants Mutual Insurance Company of Mobile ;

Also, a bill to incorporate the Chickasabogue Manufacturing Company ;

Also, a bill to incorporate the Central Mining and Manufacturing Company of Alabama ;

Mr. Bell, a bill to incorporate the Arbacoochee and North Alabama Gold Mining Company ;

All of which were severally read twice under a suspension of the constitutional rule and referred to the Committee on Corporations.

Mr. Mitchell, a bill to authorize Edgar G. Dawson, a citizen of the State of Georgia, to execute the will of Mrs. Eliza Terrell in accordance with the request contained in said will ;

Mr. Barnes, a bill to amend section 4 of an act to continue

and complete the collection of the records of Alabama soldiers of the late war ;

Mr. Powell of Tuscaloosa, a bill to incorporate the North-port Wharf Company ;

Which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Kilpatrick, a bill to amend section 728 of the Code ;

Mr. Huckabee, a bill to authorize the judges of probate of the counties of Greene, Perry and Pickens, to hire prisoners confined as convicts in the jail of their respective counties and sentenced to hard labor, to work on the Cahaba, Marion and Greensboro railroad ;

Mr. President, (Mr. Powell of Macon in the chair,) a bill to provide for the trial of cases in which circuit judges or chancellors are incompetent to preside ;

Mr. Powell of Tuscaloosa, a bill to regulate the fees of the judge of probate of Tuscaloosa county ;

Mr. Jones, a bill to amend section 1966 of the Code ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Huckabee, a bill to amend the charter of the Cahaba, Marion and Greensboro Railroad Company.

Also, a bill to amend the charter of the Northwestern Railroad Company, which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

Mr. Drake, a bill to authorize the lessees of the State Penitentiary to work the convicts thereof outside the prison walls ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on the Penitentiary.

Mr. Garrett presented a communication from Hon. M. A. Chisholm, comptroller of public accounts, suggesting sundry amendments to the revenue laws, which was referred to the Committee on Finance and Taxation.

On motion by Mr. Garrett, the vote concurring in the adverse report of the Judiciary Committee, upon the bill to amend section 1519 of the Code, and provide a conventional rate of interest for this State, was reconsidered, and the bill made the special order for Monday next, 11 o'clock.

Mr. Deason, from the Committee on Corporations, reported favorably to the bill to incorporate the Selma and Tuscaloosa Telegraph Company ;

Mr. Huckabee, from Select Committee, reported favorably to the bill to repeal sections 8, 9, and 10, and to amend section 11 of an act to establish the Canebrake Agricultural District ;

Which were severally read a third time under a suspension of the constitutional rule, and passed.

Mr. Ashley, from the Committee on 16th Sections, reported favorably to the bill to authorize the Secretary of State to issue a patent to George Brown, of Marion county, to certain lands.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Cooper, from the Judiciary Committee, reported favorably to the House bill to incorporate the New Orleans, Mobile and Chattanooga Railroad Company.

The bill was read a third time, under a suspension of the constitutional rule and passed.

Ordered to be sent forthwith to the House.

Mr. Jones, from the Committee on Corporations, reported adversely to the bill to incorporate the Alabama Express Company.

The bill was recommitted to the same Committee.

Mr. Powell, of M., from the Select Committee, to which was referred the bill for the relief of Allen H. Johnson, and James G. Barnes, of Tuscaloosa county, asked to be discharged from the further consideration of the same.

The committee were discharged, and the bill referred to the Judiciary Committee.

Mr. Huckabee, from the Committee on State Printing, reported favorably, with amendments, to the bill to repeal section 75 of the Code in relation to public printing, and to shorten the time allowed for printing the same.

The bill was recommitted to the same committee.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed the following Senate bills :

To authorize the court of county commissioners of Conecuh county to issue Treasury notes and levy a special tax ;

To regulate the fees of justices of the peace and constables in Montgomery county ;

For the relief of Wm. F. Hanby, administrator of the estate of David Hanby, deceased, late of Jefferson county ;

To provide for the insertion of certain laws in the Code of Alabama ;

To regulate the appointment of overseers and supervisors of public roads in Henry county ;

Making appropriations to pay the members and officers of the present General Assembly.

The House has adopted the following resolution:

Resolved, the Senate concurring, That the two Houses meet in Convention on to-morrow, the 23d inst., at 12 o'clock M., to elect a Secretary of State.

The House has also adopted the following resolution:

Resolved, the Senate concurring, That the General Assembly take a recess on the 30th day of November inst., to continue until the fifteenth day of January next, unless called together before that time by the Governor.

The House has adopted the following preamble and resolutions:

WHEREAS, The several reports submitted to this General Assembly show that the expenses of the State Government are increasing to an alarming extent, while the ability of the people to support the Government has been greatly lessened by reason of our present pecuniary distresses; and whereas, it is believed that many reforms and retrenchments may be made by which the public interest will be materially promoted, by lessening the public expenditures. Therefore,

Resolved, the Senate concurring, That a joint committee of three from each House be appointed, whose duty it shall be to consider and inquire into the amounts necessary to carry on the State Government, and particularly what retrenchment of expenses can be made in any of the departments of the State Government, having regard to the faithful execution of the duties of the several officers and a proper compensation to secure a faithful performance of the duties thereof, and report by bill or otherwise.

T. CLANTON, Clerk.

The following message was received from the Governor, by his private Secretary, Mr. Ben. H. Screws:

EXECUTIVE DEPARTMENT,
MONTGOMERY, Nov. 22d, 1866.

Gentlemen of the Senate:

I respectfully call your attention to an act approved July 2, 1862, donating public lands to the several States and Territories of the United States which may provide colleges for the benefit of agriculture and the mechanic arts.

The acceptance of this grant upon the part of Alabama is set forth in a preamble and joint resolutions, authorizing Alabama to accept a grant of public lands, approved February 20, 1866.

The purpose of this donation is the endowment, support and maintenance of at least one college, where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture, and the mechanic arts, in such manner as the Legislature of the State may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

In carrying out the purpose of this donation, it is positively prohibited that any part of its proceeds shall be applied to the purchase, erection, preservation, or repair of any building or buildings for the purpose of the college contemplated by the act. The financial condition of the State, and the poverty of its people, do not justify the appropriation of any money out of the public treasury, for the erection of such buildings; and yet, unless some sufficient steps are taken to fulfil the purposes of the donation, before the 2d of July next, it will revert to the United States, and thus become lost to the United States.

Under these circumstances, I recommend that the Agricultural College be made an adjunct of the University of the State. This course has been adopted by the Legislature of the State of Georgia. I am not aware that there is any legal objection to such a disposition of the grant.

R. M. PATTON.

The Senate proceeded to consider the House resolution to elect a secretary of state, to-morrow at 12 o'clock, M.

Mr. Garrett moved to strike out 12 o'clock M., and insert half past 11;

Which carried,

And the Senate proceeded to consider the resolution of the House, proposing that the two Houses take a recess on the 30th inst., to meet again on the 15th of January next.

Mr. Powell of Tuscaloosa moved to amend by striking out 30th November, inst., and inserting 7th December next;

Pending the consideration of which motion,

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the House, for the purpose of proceeding with the election of United States Senator.

The Senate repaired to the hall of the house, when the two houses proceeded to ballot.

On the first ballot,

Those who voted for Mr. Houston are—

Messrs. Deason, Drake, Edwards, Felder, Jackson of Morgan, and Sykes, of the Senate; and Messrs. Speaker, Ash, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Dobson, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Ledbetter, Malone, Malloy, Manasco, McAlexander, McBee, McCain, McCoy of Tallapoosa, McLester, Moore, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Sheffield, Smith of Jackson, Steadham, Thorn, Vansandt, Warren of DeKalb, Williams of Jackson, Williams of Randolph, and Wilhite of the House—49.

Those who voted for Mr. Winston, are—

Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Stansel, Winston, and Wood of the Senate; and Messrs. Brandon, Davis of Bibb, Echols, Grant, Hare, Henry, Humphrey, Lanier, Lawrence of Fayette, Lindsey, Mabry, McCoy of Russell, McKinstry, Morse, Oliver, Pierce, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Choctaw, Sturdivant, Waller, Whitfield, and Woolf, of the House—35.

Those who voted for Mr. Cooper, are—

Messrs. President, Ashley, Barnes, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, Slaughter, and Woodliff, of the Senate; and Messrs. Bethea, Caffey, Clark of Mobile, Cox, Craig, Crenshaw, Davis of Barbour, Ellis, Faulk, Hardie, Hawthorne, Leeper, McCann, McMillan, Odum, Pipkin, and Stringer, of the House—29.

Those who voted for Mr. Langdon are—

Messrs. Boykin, and Castens, of the Senate; Messrs. Borden, Chapman, Culver, Goldthwaite, Judkins, Lawrence of Cherokee, Meadors, Owens, Tompkins, and Worthy, of the House—12.

Neither candidate having received a majority of all the votes cast, the convention proceeded to a second ballot.

Those who voted for Mr. Houston are—

Messrs. Deason, Drake, Edwards, Felder, Jackson of Morgan, and Sykes, of the Senate; Messrs. Speaker, Ash, Ashford, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Davis of Barbour, Dobson, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Lawrence of Cherokee, Ledbetter, Malloy, Manasco, McAlexander, McBee, McCain, McCoy of Tallapoosa, McLester, Meadors, Moore, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Sheffield, Smith of Jackson, Steadham, Thorn, Vansandt, Warren of DeKalb, Williams of Jackson, Williams of Randolph, and Wilhite, of the House—51.

Those who voted for Mr. Winston are—

Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Powell of Macon, Stansel, Winston, and Wood, of the Senate ; Messrs. Brandon, Echols, Grant, Hare, Henry, Humphrey, Lanier, Lawrence of Fayette, Lindsey, Mabry, Malone, McCoy of Russell, McKinstry, Morse, Oliver, Pierce, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Choctaw, Sturdivant, Waller, Whitfield, and Woolf, of the House—35.

Those who voted for Mr. Cooper are—

Messrs. President, Ashley, Barnes, Bell, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell, of Tuscaloosa, Slaughter, and Woodliff, of the Senate ; and Messrs. Bethea, Caffey, Cox, Craig, Crenshaw, Ellis, Faulk, Hardie, Hawthorne, Leeper, McCann, McMillan, Odum, Owens, Pipkin, and Stringer, of the House—28.

Those who voted for Mr. Langdon are—

Messrs. Boykin, and Castens, of the Senate ; and Messrs. Borden Chapman, Clark, of Mobile, Culver, Davis, of Barbour, Frazer, Goldthwaite, Judkins, Tompkins, Worthy, and Younge, of the House—13.

Neither of the candidates having received a majority of all the votes cast, the convention proceeded to a third ballot.

Those who voted for Mr. Houston are—

Messrs. Deason, Drake, Edwards, Felder, Jackson of Morgan, and Sykes, of the Senate ; and Messrs. Speaker, Ash, Ashford, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Davis of Bibb, Dobson, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Hardie, Lawrence, of Cherokee, Ledbetter, Malone, Malloy, Manasco, McBee, McCain, McCoy of Tallapoosa, McLester, Meadors, Moore, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Sheffield, Smith of Jackson, Steadham, Thorn, Vansandt, Warren of DeKalb, Williams of Jackson, Williams of Randolph, and Wilhite, of the House—52.

Those who voted for Mr. Winston are—

Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Powell of Tuscaloosa, Stansel, Winston, and Wood, of the Senate ; and Messrs. Brandon, Echols, Grant, Hare, Henry, Humphrey, Lanier, Lawrence of Fayette, Lindsey, Mabry, McAlexander, McCoy of Russell, McKinstry, Morse, Oliver, Pierce, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Choctaw, Sturdivant, Tompkins, Waller, Whitfield, and Woolf, of the House—37.

Those who voted for Mr. Cooper are—

Messrs. President, Ashley, Barnes, Garrett, Huckabee, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Slaughter, and Woodliff, of the Senate; and Messrs. Bethea, Caffey, Cox, Craig, Crenshaw, Ellis, Faulk, Hawthorne, Leeper, McCann, McMillan, Odum, and Stringer, of the House—24.

Those who voted for Mr. Langdon are—

Messrs. Boykin, and Castens, of the Senate; and Messrs. Borden, Chapman, Clark of Mobile, Culver, Davis of Barbour, Frazer, Goldthwaite, Judkins, Owens, Pipkin, Worthy, and Younge, of the House—14.

Neither candidate having received a majority of all the votes cast, Mr. McKinstry moved to adjourn;

Which was lost.

The convention then proceeded to a fourth ballot.

Those who voted for Mr. Houston are—

Messrs. Bell, Deason, Drake, Edwards, Felder, Jackson of Morgan, and Sykes, of the Senate; and Messrs. Speaker, Ash, Ashford, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotton, Dobson, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Lawrence of Cherokee, Ledbetter, Leeper, Malone, Malloy, Manasco, McBee, McCain, McCoy of Tallapoosa, McLester, Meadors, Moore, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Sheffield, Smith of Jackson, Steadham, Thorn, Vansandt, Warren of DeKalb, Williams of Jackson, Williams of Randolph, and Wilhite, of the House—57.

Those who voted for Mr. Winston are—

Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Powell of Macon, Powell of Tuscaloosa, Stansel, Winston, and Wood, of the Senate; and Messrs. Brandon, Davis of Bibb, Echols, Ellis, Hare, Henry, Humphrey, Lanier, Lawrence of Fayette, Lindsey, Mabry, McAlexander, McCoy of Russell, McKinstry, Morse, Oliver, Pierce, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Choctaw, Sturdivant, Waller, Whitfield, and Woolf, of the House—37.

Those who voted for Mr. Cooper are—

Messrs. President, Ashley, Barnes, Garrett, Kilpatrick, Mitchell, Montgomery, Slaughter, and Woodliff, of the Senate; and Messrs. Caffey, Cox, Craig, Faulk, Hawthorne, McCann, McMillan, Odum, and Stringer, of the House—19.

Those who voted for Mr. Langdon are—

Messrs. Boykin, and Castens, of the Senate; and Messrs. Bethea, Borden, Chapman, Clark of Mobile, Crenshaw, Culver, Davis of Barbour, Frazer, Goldthwaite, Hardie, Judkins, Owens,

Pipkin, Tompkins, Worthy, and Younge, of the House—18.

Neither of the candidates having received a majority of all the votes cast, the convention then proceeded to a fifth ballot.

Those who voted for Mr. Houston are—

Messrs. Barnes, Bell, Deason, Drake, Edwards, Felder, Jackson of Morgan, and Sykes, of the Senate; and Messrs. Speaker, Ash, Ashford, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Dobson, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Lawrence of Cherokee, Ledbetter, Leeper, Malone, Malloy, Manasco, McBee, McCain, McCoy of Tallapoosa, McLester, Meadors, Moore, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Sheffield, Smith of Jackson, Steadham, Thorn, Vansandt, Williams of Jackson, Williams of Randolph, and Wilhite, of the House—52.

Those who voted for Mr. Winston are—

Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Lindsay, Norwood, Powell of Macon, Stansel, Winston, and Wood, of the Senate; and Messrs. Brandon, Echols, Ellis, Grant, Hare, Henry, Humphrey, Lawrence of Fayette, Lindsey, Mabry, McAlexander, McCoy of Russell, McKinstry, Morse, Oliver, Pierce, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Choctaw, Sturdivant, Tompkins, Waller, Whitfield, and Woolf, of the House—37.

Those who voted for Mr. Cooper are—

Messrs. President, Garrett, Huckabee, Kilpatrick, Mitchell, Powell of T., and Woodliff, of the Senate; and Messrs. Caffey, Cox, Craig, Faulk, Hardie, Hawthorne, McCann, McMillan, Odum and Stringer, of the House—17.

Those who voted for Mr. Langdon are—

Messrs. Ashley, Boykin, Castens and Montgomery, of the Senate; and Messrs. Bethea, Borden, Chapman, Clark of M., Crenshaw, Culver, Davis of Barbour, Frazer, Goldthwaite, Jenkins, Owens, Pipkin, Worthy and Younge, of the House—18.

The name of Mr. Cooper being withdrawn,

Mr. McKinstry moved to adjourn, which was lost: yeas 49, nays 73.

YEAS—Messrs. Barnes, Bell, Castens, Foster, Gage, Garrett, Jones, Kilpatrick, Lindsay, Norwood, Stansel, Winston and Wood, of the Senate; and Messrs. Speaker, Bethea, Brandon, Caffey, Chapman, Clark of Mobile, Craig, Culver, Davis of Barbour, Davis of Bibb, Dobson, Doster, Echols, Edwards, Faulk, Grant, Hand, Hardie, Henry, Humphrey, Lanier, Leeper, Lindsey, Mabry, Malone, McCann, McCoy of Tallapoosa, McKinstry, McLester, Odum, Oliver, Plowman, Rais-

ler, Sheffield, Smith of Choctaw, Warren of DeKalb, Williams of Randolph, and Younge, of the House—49.

NAYS—Messrs. President, Ashley, Boykin, Deason, Drake, Edwards, Felder, Forney, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Mitchell, Powell of Macon, Powell of Tuscaloosa, Slaughter, Sykes, and Woodliff, of the Senate : and Messrs. Ash, Ashford, Bankhead, Borden, Bourland, Bush, Calloway, Clark of Lawrence, Connelly, Cotten, Cox, Crenshaw, Dobson, Doster, Echols, Ellis, Frazer, Freeman, Gafford, Gibson, Goldthwaite, Goodwin, Hare, Hawthorne, Judkins, Lawrence of Cherokee, Lawrence of Fayettee, Ledbetter, Malloy, McBee, McCain, McMillan, Meadors, Moore, Pipkin, Potter, Richardson, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Jackson, Steadham, Stringer, Sturdivant, Thorn, Vansandt, Waller, Whitfield, Williams of Jackson, Wilhite, and Woolf, of the House—73.

SIXTH BALLOT.

Those who voted for Mr. Houston are :

Messrs. Deason, Drake, Edwards, Felder, Garrett, Huckabee, Jackson of Morgan, Powell of Macon, Sykes and Woodliff of the Senate : and Messrs. Speaker, Ash, Ashford, Bankhead, Bourland, Bush, Calloway, Clark of Lawrence, Connelly, Cotten, Dobson, Doster, Edwards, Freeman, Gafford Gibson, Goodwin, Hand, Lawrence of Cherokee, Ledbetter, Leeper, Malone, Malloy, Manasco, McBee, McCain, McCoy of Tallapoosa, McLester, Meadors, Moore, Odum, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Sheffield, Smith of Jackson, Steadham, Stringer, Thorn, Vansandt, Warren of DeKalb, Williams of Jackson, Williams of Randolph, and Wilhite, of the House—56.

Those who voted for Mr. Winston are :

Messrs. Bell, Forney, Foster, Gage, Jackson of Lauderdale, Jones, Kilpatrick, Powell of Tuscaloosa, Slaughter, Stansel, Winston, and Wood, of the Senate : and Messrs. Brandon, Caffey, Craig, Davis of Barbour, Echols, Ellis, Grant, Hare, Hawthorne, Henry, Humphrey, Lanier, Lawrence of Fayettee, Lindsey, Mabry, McAlexander, McCoy of Russell, McKinstry, McMillan, Morse, Oliver, Pierce, Pipkin, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Choctaw, Sturdivant, Waller, Whitfield, and Woolf, of the House—47.

Those who voted for Mr. Langdon, are—

Messrs. President, Ashley, Barnes, Boykin, Castens, and Montgomery, of the Senate ; and Messrs. Bethea, Borden,

Chapman, Clark of Mobile, Cox, Crenshaw, Culver, Davis of Barbour, Faulk, Frazier, Goldthwaite, Hardie, Judkins, McCann, Owens, Tompkins, Worthy, and Younge, of the House—24.

Neither candidate having received a majority of all the votes cast, Mr. Goodwin moved to adjourn until 12 o'clock M. tomorrow ;

Which was lost—Yeas 42, Nays 79.

YEAS—Messrs. Ashley, Barnes, Bell, Boykin, Castens, Foster, Garrett, Jones, Kilpatrick, Montgomery, Slaughter, and Stansel, of the Senate ; and Messrs. Speaker, Ashford, Bethea, Bourland, Brandon, Caffey, Callaway, Chapman, Clark of Mobile, Cotten, Craig, Culver, Doster, Echols, Edwards, Ellis, Hardie, Judkins, Lanier, Lawrence of Cherokee, Lindsey, McCoy of Tallapoosa, McLester, Oliver, Raisler, Smith of Jackson, Steadham, Sturdivant, Williams of Randolph, Wilhite, and Younge, of the House—42.

NAYS—Messrs. President, Deason, Drake, Edwards, Felder, Forney, Gage, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Lindsay, Mitchell, Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff, of the Senate ; and Messrs. Ash, Bankhead, Bush, Clark of Lawrence, Connelly, Cox, Crenshaw, Davis of Barbour, Davis of Bibb, Dobson, Ellis, Faulk, Frazier, Freeman, Gafford, Gibson, Goldthwaite, Goodwin, Grant, Hare, Hawthorne, Henry, Humphrey, Lawrence of Fayette, Ledbetter, Leeper, Mabry, Malone, Malloy, Manasco, McAlexander, McCain, McCoy of Russell, McKinstry, McMillan, Meadors, Moore, Morse, Odum, Owens, Palmer, Padgett, Pierce, Pikin, Plowman, Potter, Richardson, Robinson of Baldwin, Robinson of Chambers, Seawell, Sheffield, Smith of Choctaw, Stringer, Thorn, Vansandt, Waller, Whitfield, Williams of Jackson, and Woolf, of the House—79.

The Convention then proceeded to a seventh ballot.

Those who voted for Mr. Houston are—

Messrs. Deason, Drake, Edwards, Felder, Garrett, Huckabee, Jackson of Morgan, Sykes, and Woodliff, of the Senate ; and Messrs. Speaker, Ash, Ashford, Borland, Bush, Callaway, Clark of Lawrence, Connelly, Cotton, Cox, Dobson, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Lawrence of Cherokee, Ledbetter, Leeper, Malone, Malloy, Manasco, McCain, McCann, McCoy of Tallapoosa, McLester, Meadors, Moore, Odum, Palmer, Padgett, Plowman, Potter, Raisler, Richardson, Sheffield, Smith of Jackson, Williams of Randolph, and Wilhite, of the House—54.

Those who voted for Winston are—

Messrs. Forney, Foster, Gage, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Mitchell, Norwood, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Winston, and Wood, of the Senate; and Messrs. Brandon, Caffey, Craig, Davis of Bibb, Echols, Ellis, Goldthwaite, Grant, Hare, Hawthorne, Henry, Humphrey, Lanier, Lawrence of Fayette, Lindsey, Mabry, McAlexander, McBee, McCoy of Russell, McKinstry, McMillan, Morse, Oliver, Pierce, Pipkin, Robinson of Baldwin, Robinson of Chambers, Seawell, Smith of Choctaw, Sturdivant, Waller, Whitfield, and Woolf, of the House—49.

Those who voted for Mr. Langdon are—

Messrs. President, Ashley, Barnes, Boykin, Castens, and Montgomery, of the Senate; and Messrs. Bethea, Borden, Chapinan, Clark of Mobile, Crenshaw, Culver, Davis of Barbour, Faulk, Frazer, Hardie, Judkins, Owens, Worthy and Younge, of the House—20.

Neither candidate having received a majority of all the votes cast, the convention proceeded to an eighth ballot, the name of C. C. Langdon being withdrawn.

Those who voted for Mr. Houston are—

Messrs. President, Barnes, Castens, Deason, Drake, Edwards, Felder, Garrett, Huckabee, Jackson of Morgan, Montgomery, Sykes, and Woodliff, of the Senate; and Messrs. Speaker, Ash, Ashford, Bankhead, Bourland, Bush, Callaway, Clark of Lawrence, Connelly, Cotten, Cox, Dobson, Doster, Edwards, Freeman, Gafford, Gibson, Goodwin, Hand, Hardie, Lawrence of Cherokee, Ledbetter, Leeper, Malone, Malloy, Manasco, McCain, McCann, McCoy, of Tallapoosa, Meadors, Moore, Odum, Palmer, Padgett, Plowman, Potter, Richardson, Sheffield, Smith of Jackson, Steadham, Stringer, Thorn, Vansandt, Warren of DeKalb, Williams of Jackson, Williams of Randolph, Wilhite, and Worthy, of the House—61.

Those who voted for Mr. Winston are—

Messrs. Ashley, Bell, Boykin, Forney, Foster, Gage, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Mitchell, Norwood, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Winston, and Wood, of the Senate; and Messrs. Bethea, Borden, Brandon, Caffey, Chapman, Clark of Mobile, Craig, Crenshaw, Culver, Davis of Barbour, Davis of Bibb, Echols, Ellis, Faulk, Frazer, Goldthwaite, Grant, Hare, Hawthorne, Henry, Humphrey, Judkins, Lanier, Lawrence of Fayette, Lindsey, Mabry, McAlexander, McBee, McCoy of Russell, McKinstry, McMillan, Morse, Oliver, Owens, Pierce, Pipkin, Raisler, Robinson of Baldwin, Robinson of Chambers,

Seawell, Smith of Choctaw, Sturdivant, Tompkins, Waller, Whitfield, Woolf, and Younge, of the House—65.

Mr. Winston having received sixty-five votes, a majority of all the votes cast, was declared by Mr. Speaker duly and constitutionally elected a Senator in the Congress of the United States, for the term of six years, beginning on the 4th day of March, 1867.

The business of the convention being concluded, the Senate returned to its chamber.

And, on motion by Mr. Lindsay,

Adjourned until to-morrow morning, 10 o'clock.

FRIDAY, November 23d.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Lundy.

Upon the call of the Districts, the following bills were introduced :

Mr. Huckabee, a bill to authorize the estate of Samuel Pickens to be kept together by the administratrix ;

Mr. Powell of Tuscaloosa, a bill to authorize the probate judge of Tuscaloosa county to grant an order to the administrator of A. B. Dearing to sell real estate of said deceased ;

Which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Garrett, a bill to repeal an act to incorporate the Tuscaloosa Scientific and Art Association for the purpose of encouraging science and art, and aiding the University of the State in replacing the library and establishing a scientific museum, approved Feb. 3, 1866 ;

Also, a bill more effectually to secure the payment of costs in civil suits for debt ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary committee.

Also, a bill for the relief of Reuben L. Sullivan, of Coosa county, accompanied with a petition ;

Which was read twice, under a suspension of the constitutional rule, and referred to a committee on special relief, of which Mr. Kilpatrick is chairman.

Mr. Forney, a bill to incorporate the Gold Ridge Mining company ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Woodliff, joint resolutions for the relief of J. M. Daniel and others, of Cherokee county ;

Which was read twice under a suspension of the constitutional rule, and referred to the select committee on special relief, of which Mr. Kilpatrick is chairman.

Message from the House, by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills :

Regulating suits to enforce or restrain proceedings or judgments at law ;

To regulate judicial proceedings ;

To regulate the courts of the middle chancery division ;

For the relief of Philip T. Avery, of Chambers county ;

To regulate admiralty proceedings in the circuit and city courts of Mobile ;

For the relief of executors, administrators and guardians ;

To add section 3 to an act to give a lien on the crop and stock for advances made ;

To change the time for holding the circuit court of the county of Coosa, and to repeal an act therein named.

The House concurs in the Senate amendment to the House resolution to go into the election of a Secretary of State to-day at half-past 11 o'clock.

T. CLANTON, Clerk.

The Senate proceeded to consider the resolution of the House proposing that the General Assembly take a recess on the 30th November inst., and meet again on the 15th January, which was under consideration at the adjournment yesterday.

The question pending being on the motion of Mr. Powell of Tuscaloosa, to strike out 30th November, and insert 7th December ;

Mr. Barnes moved to lay the motion on the table ;

Which was put, and lost.

A division of the question being called for, the question was first put on striking out ;

Which was carried.

Mr. Norwood moved to insert the 10th December ;

Which was put and lost. Yeas 14 ; nays 17.

YEAS—Messrs. President, Barnes, Bell, Deason, Drake, Forney, Foster, Garrett, Jackson of Lauderdale, Jones, Kilpatrick, Montgomery, Norwood, and Powell of Macon—14.

NAYS—Messrs. Boykin, Castens, Cooper, Deason, Edwards,

Gage, Huckabee, Jackson of Morgan, Lindsay, Mitchell, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, Wood, and Woodliff—17.

The question recurred on inserting 7th December ;

Which was put and carried, and the resolution as amended was adopted.

The Senate concurred in the resolution of the House transmitted in a message on yesterday, proposing to appoint a joint committee to consider and inquire into the subject of retrenchment of the expenses of the State government, and report by bill or otherwise.

Messrs. Moren, Ashley and Garrett were appointed a committee on the part of the Senate.

The hour of half-past 11 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of electing a Secretary of State.

The Senate repaired to the hall of the House, when the two houses proceeded to the election ;

The names of Micah Taul, of Talladega, P. H. Brittan, of Russell, Wm. H. Ogbourne, of Montgomery, D. L. Dalton, of Lauderdale, and Robt. H. Clarke, of Elmore, being in nomination.

On the first ballot, those who voted for Mr. Dalton, are—

Messrs. Cooper, Jackson of Lauderdale, and Winston of the Senate ; Messrs. Ashford, Clark of Mobile, Freeman, Goodwin, Humphrey, Lanier, McAlexander, McKinstry, McLester, Pipkin, Potter, Sheffield, Thorn, Tompkins, Williams of Randolph, and Wilhite, of the House—20.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of M., of the Senate ; and Messrs. Bethea, Callaway, Chapman, Crenshaw, Echols, Frazer, Gafford, Lawrence of Fayette, Manasco, McCoy of Russell, McCoy of Tallapoosa, Meadors. Moore, Owens, Palmer, Robinson of Baldwin, Stringer, Walker, Whitfield, and Worthy, of the House—28.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Huckabee, Powell of Tuscaloosa, and Sykes, of the Senate ; and Messrs. Speaker, Ash, Caffey, Connelly, Davis of Barbour, Davis of Bibb, Dobson, Doster, Goldthwaite, Grant, Judkins, Lawrence of Cherokee, Lindsay, Malone, Malloy, Odum, Smith of Choctaw, Steadham, and Thrasher, of the House—26.

Those who voted for Mr. Taul are—

Messrs. Barnes, Deason, Gage, Jackson of Morgan, Mont-

gomery, Norwood, Slaughter, Stansel, Wood, and Woodliff, of the Senate ; and Messrs. Borden, Bush, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McCann, Oliver, Padgett, Plowman, Seawell, Smith of Jackson, and Williams of Jackson, of the House—27.

Those who voted for Mr. Clarke are—

Messrs. Drake Garrett, of the Senate ; and Messrs. Bankhead, Brandon, Clark of Lawrence, Cotten, Cox, Craig, Edwards, Ellis, Faulk, Gibson, McCain, McCoy of Tallapoosa, Raisler, Richardson, Savage, Sturdivant, Vansandt, Warren of DeKalb, and Younge, of the House—22.

Neither candidate having received a majority of all the votes cast, the Convention proceeded to a second ballot.

Those who voted for Mr. Dalton are—

Messrs. Cooper, Jackson of Lauderdale, Lindsay, and Winston, of the Senate ; and Messrs. Ash, Bourland, Clark of Lawrence, Clark of Mobile, Cotten, Davis of Barbour, Freeman, Gibson, Goodwin, Grant, Humphrey, McAlexander, McKinsty, McLester, Pipkin, Potter, Sheffield, Thorn, Williams of Randolph, and Wilhite, of the House—24.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Mitchell, and Powell of Macon, of the Senate ; and Messrs. Bethea, Callaway, Chapman, Crenshaw, Echols, Frazer, Gafford, Lanier, Lawrence of Fayette, Manasco, McCoy of Russell, Meadors, Moore, Owens, Palmer, Robinson of Baldwin, Stringer, Waller, Whitfield, and Worthy, of the House—28.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Huckabee, Powell of Tuscaloosa, and Sykes of the Senate : and Messrs. Speaker, Brandon, Caffey, Connelly, Davis of Barbour, Dobson, Doster, Goldthwaite, Judkins, Lawrence of Cherokee, Lindsey, Malone, Malloy, Odum, Steadham, and Thrasher, of the House—23.

Those who voted for Mr. Taul are :

Messrs. Ashley, Deason, Gage, Jackson of Lauderdale, Montgomery, Norwood, Slaughter, Stansel, Wood and Woodliff, of the Senate : and Messrs. Ash, Borden, Bush, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Oliver, Padgett, Plowman, Savage, Seawell, Smith of Choctaw, Smith of Jackson, and Williams of Jackson, of the House—30.

Those who voted for Mr. Clarke are :

Messrs. Drake, Forney, and Garrett, of the Senate : and Messrs. Bankhead, Cox, Craig, Edwards, Ellis, Faulk, McCain,

McCoy of Tallapoosa, Raisler, Richardson, Sturdivant, Vansandt, Warren of DeKalb. and Younge, of the House—17.

Neither candidate having received a majority of all the votes cast, the Convention proceeded to a third ballot.

Those who voted for Mr. Dalton are—

Messrs. Cooper, Jackson of Lauderdale, and Winston, of the Senate ; Messrs. Bourland, Clark of Lawrence, Clark of Mobile, Davis of Barbour, Freeman, Goodwin, Grant, Humphrey, McKinstry, McLester, Potter, Sheffield, Thorn, Tompkins, and Williams of Randolph, of the House—19.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Lindsay, and Mitchell, of the Senate ; Messrs. Bethea, Callaway, Chapman, Crenshaw, Frazer, Gafford, Lanier, Manasco, McCoy of Russell, Meadors, Moore, Owens, Palmer, Pipkin, Robinson of Baldwin, Savage, Smith of Choctaw, Stringer, Waller, Whitfield, and Worthy, of the House—28.

Those who voted for Mr. Ogbourne are—

Messrs. Bell, Deason, Felder, Foster, Huckabee, and Sykes, of the Senate ; Messrs. Speaker, Caffey, Connelly, Cotten, Davis of Barbour, Dobson, Doster, Echols, Gibson, Goldthwaite, Judkins, Lawrence of Cherokee, Lindsey, Malone, Malloy, Odum, Steadham, Thrasher, and Warren of DeKalb, of the House—26.

Those who voted for Mr. Taul are—

Messrs. Barnes, Deason, Gage, Jackson of Morgan, Kilpatrick, Montgomery, Norwood, Powell of Macon, Slaughter, Stansel, Wood and Woodliff, of the Senate ; and Messrs. Ash, Ashford, Borden, Brandon, Bush, Hand, Hardie, Hawthorne, Henry, Lawrence of Fayette, Ledbetter, Leeper, Mabry, McBee, McCann, Oliver, Padgett, Plowman, Seawell, Smith of Jackson, and Williams of Jackson, of the House—33.

Those who voted for Mr. Clark, are—

Messrs. Drake, Forney, and Garrett, of the Senate ; and Messrs. Bankhead, Cox, Craig, Edwards, Ellis, Faulk, McCain, McCoy of Tallapoosa, Raisler, Richardson, Sturdivant, Vansandt, Wilhite, and Younge, of the House—17.

Neither candidate having received a majority of all the votes cast, the Convention proceeded to a

FOURTH BALLOT.

Those who voted for Mr. Dalton are—

Messrs. Cooper, Jackson of Lauderdale, Lindsay, and Winston, of the Senate ; and Messrs. Bourland, Clark of Lawrence,

Clark of Mobile, Davis of Barbour, Freeman, Grant, Humphrey, McAlexander, McKinstry, McLester, Thorn, and Tompkins, of the House—16.

Those who voted for Mr. Brittan are—

Messrs. Boykin, Edwards, Jones, Kilpatrick, and Mitchell, of the Senate ; and Messrs. Callaway, Chapman, Crenshaw, Faulk, Frazer, Gafford, Gibson, Lanier, Lawrence of Fayette, Manasco, McCoy of Russell, Meadors, Moore, Owens, Pipkin, Robinson of Baldwin, Whitfield, and Worthy, of the House—23.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Foster, Huckabee, Powell of Tuscaloosa, Sykes, and Wood, of the Senate ; and Messrs. Speaker, Ashford, Caffey, Connelly, Davis of Bibb, Lobson, Doster, Goldthwaite, Judkins, Lawrence of Cherokee, Lindsey, Malone, Malloy, Odum, Steadham, Thrasher, Warren of DeKalb, and Williams of Randolph, of the House—25.

Those who voted for Mr. Taul are—

Messrs. Barnes, Deason, Gage, Jackson of Morgan, Montgomery, Norwood, Slaughter, Stansel, and Woodliff, of the Senate ; and Messrs. Ash, Borden, Brandon, Bush, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Plowman, Potter, Savage, Seawell, Sheffield, Smith of Jackson, and Williams of Randolph, of the House—30.

Those who voted for Mr. Clarke are—

Messrs. Drake, Forney, Garrett, and Powell of Macon, of the Senate ; Messrs. Bankhead, Cotten, Cox, Craig, Echols, Edwards, Ellis, McCain, McCoy of Tallapoosa, Palmer, Raiser, Richardson, Smith of Choctaw, Sturdivant, Vansandt, Waller, Wilhite, and Younge, of the House—22.

Neither candidate having received a majority of all the votes cast, the convention proceeded to the fifth ballot.

Those who voted for Mr. Dalton are—

Messrs. Cooper, Jackson of Lauderdale, Kilpatrick, and Winston, of the Senate ; Messrs. Ashford, Bourland, Bush, Clark of Lawrence, Clark of Mobile, Freeman, Gibson, Grant, Humphrey, McAlexander, McKinstry, McLester, Palmer, Pipkin, Richardson, Sheffield, Smith of Choctaw, Thorn, Tompkins, Wilhite, and Younge, of the House—25.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Edwards, Jones, Lindsay, Mitchell, Powell of Macon, and Wood, of the Senate ; Messrs. Bankhead, Bethea, Callaway, Chapman, Cotton, Crenshaw, Echols, Frazer, Gafford, Lawrence of Fayette, Manasco, McCoy of

Russell, Meadors, Owens, Stringer, Whitfield, and Worthy, of the House—25.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Huckabee, Powell of Tuscaloosa, and Sykes of the Senate : and Messrs. Speaker, Caffey, Connelly, Davis of Barbour, Davis of Bibb, Dobson, Judkins, Lawrence of Cherokee, Lindsey, Malone, Malloy, Odum, Steadham, Thrasher, Warren of DeKalb, and Williams of Jackson, of the House—23.

Those who voted for Mr. Taul are—

Messrs. Barnes, Deason, Gage, Montgomery, Norwood, Slaughter, Stansel, and Woodliff, of the Senate : and Messrs. Ash, Borden, Brandon, Hand, Hardie, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Plowman, Seawell, Smith of Jackson, and Williams of Jackson, of the House—24.

Those who voted for Mr. Clarke are—

Messrs. Drake, Forney, Garrett, and Jackson of Morgan, of the Senate : and Messrs. Cox, Craig, Edwards, Ellis, Faulk, Goldthwaite, Hawthorne, McCain, McCoy of Tallapoosa, Raisler, Savage, Sturdivant, Vansandt, and Waller of the House—18.

Neither candidate having received a majority of all the votes cast, the Convention proceeded to the

SIXTH BALLOT.

Those who voted for Mr. Dalton are—

Messrs. Cooper, Jackson of Lauderdale, and Winston of the Senate ; and Messrs. Ashford, Bourland, Clark of Mobile, Davis of Barbour, Freeman, Grant, Humphrey, McAlexander, McKinstry, McLester, Pipkin, Raisler, Richardson, Sheffield, and Thorn, of the House—18.

Those who voted for Mr. Brittan, are—

Messrs. Ashley, Castens, Edwards, Jones, Kilpatrick, and Mitchell, of the Senate ; and Messrs. Bankhead, Bethea, Calhaway, Chapman, Crenshaw, Echols, Frazer, Gafford, Lanier, Lawrence of Fayette, Manasco, McCoy of Russell, Meadors, Moore, Owens, Robinson of Baldwin, Stringer, Whitfield, and Worthy, of the House—25.

Those who voted for Mr. Ogbourne, are—

Messrs. President, Bell, Boykin, Felder, Foster, Huckabee, Powell of Tuscaloosa, and Sykes, of the Senate ; and Messrs. Speaker, Caffey, Connelly, Davis of Barbour, Dobson, Doster, Goldthwaite, Judkins, Lawrence of Cherokee, Lindsey, Malone, Malloy, Odum, Smith of Choctaw, Steadham, Thrasher, Warren of DeKalb, and Williams of Jackson, of the House—26.

Those who voted for Mr. Taul are—

Messrs. Barnes, Deason, Gage, Jackson of Morgan, Lindsay, Montgomery, Norwood, Powell of Macon, Slaughter, Stansel, and Woodliff, of the Senate ; and Messrs. Ash, Bethea, Borden, Brandon, Bush, Gibson, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Oliver, Padgett, Plowman, Savage, Smith of Jackson, and Williams of Jackson, of the House—31.

Those who voted for Mr. Clarke are—

Messrs. Drake, Forney, Garrett, and Woodliff, of the Senate ; and Messrs. Cotten, Cox, Craig, Edwards, Ellis, Faulk, McCain, McCoy of Russell, Savage, Sturdivant, Vansandt, Waller, and Wilhite, of the House—17.

On motion by Mr. Lindsay, of the Senate,

The convention adjourned until 12 o'clock, to-morrow.

The Senate returned to its chamber, and on motion by Mr. Garrett,

Adjourned until to-morrow morning, 10 o'clock.

SATURDAY, November 24th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Barron.

Upon the call of the Districts the following bills were introduced—

Mr. Ashley, a bill to amend an act relating to county surveyors and treasurers in the counties of Marshall, Marion, Russell, Covington, Conecuh and Walker, as therein shown ;

Which was read three times under a suspension of the constitutional rule and passed.

Mr. Foster, a bill to incorporate the Choctaw county Manufacturing company ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Huckabee, a bill to form a new county to be called the county of King ;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on the County Boundaries.

Mr. President, (Mr. Barnes in the chair,) a bill, accompanied with a petition—

To refund to the United States, or to such persons as shall pay to the United States, the public moneys appropriated by the State of Alabama from the land office at Greenville, Ala.

Mr. Lindsay, a bill to reorganize the chancery courts of this State ;

Mr. Sykes, a bill to aid in the preservation of human life on railroad trains ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Norwood, a bill declaring Caroline Williams and Sarah Dyer, of Jackson county, free-dealers ;

Which was read twice, under a suspension of the constitutional rule, and referred to the select committee of which Mr. Kilpatrick is chairman.

Mr. Montgomery, joint resolutions proposing an amendment to the Constitution of the State ;

Which was read the first time and ordered to a second reading.

Mr. Garrett asked leave of absence for Mr. Slaughter, which was granted.

On motion by Mr. Foster :

Resolved, That a committee of three physicians be appointed on the part of the Senate, to act with a like committee on the part of the House, to examine the specimens of artificial limbs now in the Executive Chamber, and determine which is the best to be furnished by the State to maimed soldiers.

Messrs. Foster, Moren and Sykes were appointed the committee.

On motion by Mr. Montgomery :

Resolved, That the Judiciary Committee be instructed to inquire into the expediency and practicability of abolishing the county court and to enlarge the jurisdiction of the justices of the peace, and to give the right of jury trial when parties request the same, and report by bill or otherwise.

Mr. Powell, of Macon, from the Committee on County Boundaries, to whom was referred the resolution, "That the Committee on County Boundaries be instructed to inquire and report to the Senate what is the existing ratio of representation according to the census returns of 1855," have had the same under consideration, and instructed me to submit the following report :

The last apportionment of Senators and Representatives among the several districts and counties of this State was based upon the census returns of 1855. Early in the session of 1855 and '56, both houses of the General Assembly took steps towards having the census returns arranged in tabular form, so as to ascertain the aggregate white population of the State, for the purpose of apportioning Senators and Represen-

tatives among the several districts and counties of the State. On the 19th of November, 1855, the Senate, on motion of Mr. Patton, adopted the following resolution :

“That the President of the Senate appoint a committee of one from each judicial circuit, whose duty it shall be to apportion Representatives and Senators among the several counties in the State, according to the census of 1855.”

On the 26th day of November, “Mr. Patton presented a tabular statement of the census of 1855, which was laid on the table. This statement is not published in the Journal. On the 18th of December, Mr. Patton, from the Committee on Apportionments, reported a bill to apportion Representatives among the several counties in the State, and to divide the State into Senatorial districts.” This bill was considered by the Senate, and after much discussion, having been made the Special Order time after time, was passed and sent to the House on the 2d of February, 1856. When the bill came up for consideration, the House adopted as a substitute for it the bill which had been reported by its own Select Committee on Apportionment. The Senate afterward adopted this bill, with amendments, which were concurred in by the House. It was approved on the 15th of February, and the apportionment made under its provisions. It appears from the Journal that the tabular statements furnished by the Select Committees of the two houses, respectively, do not agree, and that reported to the House by its Committee, was adopted as the correct one. The Committee can find in the office of Secretary of State no tabular statements of the census of 1855 ; nor does it appear in the bill apportioning Representatives “among the several counties of the State, and to divide the State into Senatorial districts,” acted upon by the two houses of the General Assembly. But as the Secretary of State was authorized by an act approved on the 22d of January, 1856, while the subject of the apportionment of Representatives was under consideration, to subscribe for 98 copies of the “New Map of Alabama about to be published by D. H. Cram,” and as a tabular statement of the total population of the State, white, free-colored and slave, is published upon this map, the Committee is forced to the conclusion that 460,979 was the white population of Alabama in 1855, as returned by the census-takers, and the basis of the apportionment adopted and acted upon by the Legislature. The Committee therefore report 4610 as the existing ratio of apportionment ; all of which is respectfully submitted.

The Senate adopted the report of the Committee, and the

Committee was discharged from the further consideration of the subject.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported favorably to the bill for the relief of Allen H. Johnson and James G. Barnes, of Tuscaloosa county.

The bill was ordered to a third reading.

Also, favorably to the bill to prevent trespasses in certain cases.

Mr. Powell moved to amend the bill by proviso as follows :

Provided, That in order to give any court jurisdiction to punish the offenses named in this act, the party aggrieved by the trespass complained of shall prosecute the offender for that purpose;

Which was adopted.

Mr. Norwood moved to amend by striking out the word "fruit,"

Which was put and lost ;

And the bill was postponed and made the special order for Monday next 11 o'clock.

Message from the House by Mr. Clanton.

Mr. President :

The House has originated and passed the following bills :

In relation to the Alabama Insane Hospital ;

To amend an act to authorize courts of county commissioners of the counties of Coosa, Macon and Lowndes to issue county bonds for building bridges, approved January 26, 1866;

To regulate the disposition of moneys arising from the sale of property in attachment suits ;

To amend section 713 of the Penal Code, so as to authorize probate judges to admit to bail, on writs of habeas corpus in cases of felony, before conviction ;

For the relief of defendants in judgment rendered upon contracts made between 1st September, 1861 and May 1st, 1865.

T. CLANTON, Clerk.

Mr. Winston, from the Judiciary Committee, reported adversely to the bill to relieve the tax payers of this State from certain penalties incurred in the assessment of taxes for the year 1866, inasmuch as the remedy is provided in another bill passed at this session.

The report was concurred in.

Mr. Powell of Tuscaloosa, from the Judiciary Committee,

to which was referred the petition of Moses White, of Lauderdale county, reported—

A bill for the relief of Moses White, administrator of the estate of George R. Lybrook, of the county of Lauderdale ;

Which was read three times under a suspension of the constitutional rule and passed.

Mr. Deason, from the Committee on Corporations, reported favorably to the House bill to incorporate the Opelika Cemetery ;

Mr. Edwards, from the Committee on Internal Improvements, reported favorably to the House bill to grant right of way to the Stone Street Railroad in Mobile ;

Mr. Forney, from the Judiciary Committee, reported favorably to the House bill to authorize the administrators of W. H. Hiblen, deceased, to rent the lands of said estate ;

Mr. Jones, from same committee, also, favorably to the bill to amend section 1966 of the Code ;

Mr. Kilpatrick, from same committee, also, favorably to the bill to provide for the trial of causes in which circuit judges, or chancellors are incompetent to preside ;

Mr. Stansel, from same committee, reported favorably to the bill to regulate the issuing and return of executions from the county courts ;

All of which were severally read a third time under a suspension of the constitutional rule, and passed.

Mr. Deason, from the Committee on Internal Improvements, reported favorably to the bill to amend the charter of the Cahaba, Marion and Greensboro Railroad Company ;

The bill was read a third time, under the suspension of the constitutional rule, and passed.

The title was amended so as to read,

To authorize the Cahaba, Marion and Greensboro Railroad Company to increase their capital stock, and extend their road.

Mr. Jackson, of Morgan, from the same committee, reported favorably to the bill to amend the charter of the North-western Railroad Company ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

The title was amended so as to read,

To authorize the directors of the North-western Railroad company to transfer the property, rights and privileges of said company to the Cahaba, Marion, and Greensboro Railroad company ;

Mr. Jones, from the Committee on Corporations, reported

favorably to the bill to incorporate the Warrior Bridge, Pontoon and Ferry Company ;

Mr. Stansel, from the Judiciary Committee, reported favorably to the bill to reduce the expense of publishing the Supreme Court Reports ;

On motion by Mr. Garrett,

The bill and report were laid on the table.

Mr. Felder, from the Judiciary Committee, reported favorably, with an amendment, to the House bill to amend an act to regulate judicial proceedings, approved February 20, 1866.

The amendment was laid on the table, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Kilpatrick, from the select committee on special relief, reported adversely to the bill ;

To make Mrs. C. Jane Jones, wife of James A. Jones, of Macon county, a free-dealer, as the relief sought for could be obtained under the Code ;

The report was concurred in.

Mr. Barnes from the Judiciary Committee, reported adversely to the bill ;

More effectually to secure the payment of costs in civil suits for debts ;

Pending the consideration of which, the hour of 12 o'clock having arrived, the Senate was invited to the Hall of the House, for the purpose of proceeding with the election of Secretary of State.

The Senate repaired to the Hall of the House, when the two Houses proceeded to ballot for the seventh time,

The name of Mr. Clarke being withdrawn.

SEVENTH BALLOT.

Those who voted for Mr. Taul, are—

Messrs. Barnes, Deason, Drake, Forney, Gage, Jackson of Morgan, Montgomery, Norwood, Stansel, and Woodliff, of the Senate ; and Messrs. Ash, Borden, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Pierce, Pipkin, Plowman, Seawell, Smith of Jackson, and Williams of Jackson, of the House—30.

Those who voted for Mr. Brittan, are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, and Mitchell, of the Senate ; and Messrs. Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Echols, Edwards, Frazer, Lanier, Manasco, McCoy of Tallapoosa, Moore,

Owens, Robinson of Baldwin, Robinson of Chambers, Savage, Steadham, Stringer, Sturdivant, Whitfield, and Worthy, of the House—30.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Deason, Felder, Foster, Garrett, Huckabee, Powell of Tuscaloosa, and Sykes, of the Senate ; and Messrs. Speaker, Brandon, Caffey, Connelly, Cox, Davis of Bibb, Dobson, Doster, Goldthwaite, Grant, Lawrence of Cherokee, Lawrence of Fayette, Lindsay, Malone, Malloy, McCain, McCoy of Tallapoosa, Moore, Odum, Oliver, Smith of Choctaw, Thrasher, Vansandt, Warren of DeKalb, and Williams of Randolph, of the House—32.

Those who voted for Mr. Dalton are—

Messrs. Castens, Cooper, Jackson of Lauderdale, Powell of Macon, Winston, and Wood, of the Senate ; and Messrs. Ashford, Bourland, Clark of Lawrence, Clark of Mobile, Cotten, Davis of Barbour, Faulk, Freeman, Gibson, Goodwin, Humphrey, McAlexander, McKinstry, McLester, Palmer, Pipkin, Potter, Raisler, Richardson, Sheffield, Thorn, Tompkins, Waller, and Wilhite, of the House—30.

Neither candidate having received a majority of all the votes cast, the Convention proceeded to the

EIGHTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Deason, Drake, Forney, Gage, Garrett, Montgomery, Norwood, Stansel, Wood, and Woodliff, of the Senate ; and Messrs. Ash, Ashford, Borden, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, Padgett, Plowman, Seawell, Smith of Jackson, Williams of Jackson, and Younge, of the House—32.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate ; and Messrs. Bethea, Callaway, Chapman, Crenshaw, Culver, Echols, Frazer, Lanier, Manasco, McCoy of Russell, Owens, Palmer, Pierce, Pipkin, Robinson of Baldwin, Robinson of Chambers, Savage, Stringer, Sturdivant, Whitfield, and Worthy, of the House—32.

Those who voted for Mr. Ogbourne are—

Messrs. Bell, Cooper, Foster, Huckabee, Powell of Tuscaloosa, and Sykes, of the Senate ; and Messrs. Speaker, Brandon, Caffey, Connelly, Cox, Davis of Bibb, Dobson, Doster, Edwards, Goldthwaite, Judkins, Lawrence of Cherokee, Law-

rence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Moore, Odum, Oliver, Smith of Choctaw, Smith of Jackson, Steadham, Thrasher, Vansandt, Warren of DeKalb, and Williams of Randolph, of the House—34.

Those who voted for Mr. Dalton are—

Messrs. Jackson of Lauderdale, and Winston, of the Senate; and Messrs. Bankhead, Bourland, Clark of Lawrence, Clark of Mobile, Cotten, Davis of Barbour, Faulk, Freeman, Gibson, Goodwin, Grant, Humphrey, McAlexander, McKinstry, McLester, Raisler, Richardson, Sheffield, Thorn, Waller, and Wilhite, of the House—24.

Neither of the candidates having received a majority of all the votes cast, the Convention proceeded to a ninth ballot.

Those who voted for Mr. Taul are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Jackson of Morgan, Montgomery, Norwood, Stansel, Wood, and Woodliff, of the Senate; and Messrs. Ash, Borden, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Plowman, Seawell, Smith of Jackson, and Williams of Jackson, of the House—32.

Those who voted for Mr. Brittan are—

Messrs. Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; and Messrs. Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Echols, Lanier, Manasco, McCoy of Russell, Moore, Owens, Palmer, Pipkin, Robinson of Baldwin, Robinson of Chambers, Savage, Stringer, Sturdivant, Whitfield, and Worthy, of the House—28.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Garrett, Jackson of Lauderdale, Powell of Tuscaloosa, and Sykes, of the Senate; and Messrs. Speaker, Brandon, Caffey, Connelly, Cotten, Cox, Davis of Barbour, Dobson, Doster, Edwards, Goldthwaite, Judkins, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Morse, Odum, Oliver, Smith of Choctaw, Steadham, Thrasher, Vansandt, Warren of DeKalb, and Williams of Randolph, of the House—34.

Those who voted for Mr. Dalton are—

Messrs. Ashley, Boykin and Winston, of the Senate, and Messrs. Ashford, Bourland, Clark of Lawrence, Clark of Mobile, Davis of Barbour, Faulk, Frazer, Freeman, Gibson, Goodwin, Grant, Humphrey, McAlexander, McKinstry, McLester, Pierce, Potter,

Raisler, Richardson, Sheffield, Thorn, Tompkins, Waller, and Wilhite, of the House—27.

Neither having received a majority of all the votes cast, the Convention then proceeded to the

TENTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Montgomery, Norwood, Stansel, and Woodliff, of the Senate; and Messrs. Ash, Borden, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Palmer, Padgett, Plowman, Richardson, Seawell, Smith of Jackson, Waller, and Williams of Jackson, of the House—32.

Those who voted for Mr. Brittan are—

Messrs. Boykin, Castens, Edwards, Garrett, Jones, Kilpatrick, Lindsay, Mitchell, Powell of Macon, and Wood, of the Senate: and Messrs. Bankhead, Bethea, Brandon, Calloway, Crenshaw, Culver, Faulk, Frazer, Gibson, Lanier, Manasco, McCoy of Russell, Moore, Owens, Pipkin, Potter, Robinson of Baldwin, Robinson of Chambers, Savage, Smith of Choctaw, Stringer, Sturdivant, Whitfield and Worthy, of the House—30.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster Huckabee Powell of Tuscaloosa, and Sykes, of the Senate; and Messrs. Speaker, Caffey, Connelly, Cotton, Cox, Davis of Bibb, Dobson, Doster, Echols, Edwards, Goldthwaite, Grant, Judkins, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy McCain, McCoy of Tallapoosa, Morse, Odum, Oliver, Sturdivant, Thrasher, Vansandt, and Warren of DeKalb, of the House—34.

Those who voted for Mr. Dalton are—

Messrs. Ashley, Jackson of Lauderdale, and Winston, of the Senate; and Messrs. Ashford, Bourland, Clark of Lawrence, Clark of Mobile, Davis of Barbour, Freeman, Goodwin, Humphrey, McAlexander, McKinstry, McLester, Pierce, Raisler, Sheffield, Thorn, Williams of Randolph, and Wilhite, of the House—20.

Neither of the candidates having received a majority of all the votes cast, the convention proceeded to the

ELEVENTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Deason, Drake, Forney, Gage, Garrett,

Montgomery, Norwood, Powell of Macon, Stansel, Sykes, and Woodliff, of the Senate; and Messrs. Ash, Borden, Bush, Craig, Ellis, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Plowman, Savage, Smith of Jackson, Waller, and Williams of Jackson, of the House—32.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Wood, of the Senate; Messrs. Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gibson, Lanier, Manasco, McCoy of Russell, Moore, Owens, Palmer, Pierce, Pipkin, Robinson of Baldwin, Robinson of Chambers, Savage, Stringer, Sturdivant, Whitfield, and Worthy, of the House—34.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Huckabee, and Powell of Tuscaloosa, of the Senate; Messrs. Speaker, Brandon, Caffey, Connelly, Cox, Davis of Bibb, Dobson, Doster, Goldthwaite, Judkins, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Morse, Odum, Oliver, Potter, Steadham, Thrasher, Vansandt, and Warren of DeKalb, of the House—32.

Those who voted for Mr. Dalton are—

Mr. Jackson of Lauderdale, of the Senate; Messrs. Ashford, Bourland, Clark of Lawrence, Clark of Mobile, Cotten, Freeman, Goodwin, Grant, Humphrey, McAlexander, McKinstry, McLester, Raisler, Richardson, Sheffield, Thorn, Tompkins, Williams of Randolph, and Wilhite, of the House—20.

Neither of the candidates having received a majority of all the votes cast, the Convention proceeded to the

TWELFTH BALLOT.

Those who voted for Mr. Taul, are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Jackson of Morgan, Montgomery, Norwood, Stansel, Wood, and Woodliff, of the Senate; and Messrs. Ash, Borden, Bush, Craig, Ellis, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Pierce, Plowman, Seawell, Smith of Jackson, Waller, and Williams of Jackson, of the House—33.

Those who voted for Mr. Brittan, are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, and Mitchell, of the Senate; and Messrs. Ashford, Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gibson, Lanier,

Manasco, McCoy of Russell, Moore, Owens, Palmer, Pipkin, Robinson of Chambers, Savage, Steadham, Stringer, Sturdivant, Whitfield, and Worthy, of the House—34.

Those who voted for Mr. Ogbourne, are—

Messrs. President, Felder, Foster, Huckabee, Powell of Macon, Powell of Tuscaloosa, and Sykes, of the Senate; and Messrs. Speaker, Brandon, Caffey, Connelly, Cotten, Cox, Davis of Bibb, Dobson, Doster, Goldthwaite, Judkins, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Morse, Odum, Oliver, Potter, Smith of Choctaw, Thrasher, Tompkins, and Vansandt, of the House—33.

Those who voted for Mr. Dalton are—

Mr. Jackson of Lauderdale, of the Senate; and Messrs. Bourland, Clark of Lawrence, Clark of Mobile, Freeman, Goodwin, Grant, Humphrey, McAlexander, McKinstry, McLester, Raisler, Richardson, Sheffield, Thorn, Williams of Randolph, and Wilhite, of the House—17.

Mr. Vansandt then moved that the Convention adjourn;

Which was lost.

Neither of the candidates having received a majority of all the votes cast, the Convention proceeded to the

THIRTEENTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Jackson of Morgan, Montgomery, Norwood, Stansel, and Woodliff, of the Senate; and Messrs. Ash, Ashford, Borden, Brandon, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Plowman, Potter, Seawell, Smith of Jackson, Waller, and Williams of Jackson, of the House—35.

Those who voted for Mr. Brittan are—

Messrs. Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; and Messrs. Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gibson, Lanier, Manasco, McCoy of Russell, Owens, Palmer, Pierce, Pipkin, Robinson of Baldwin, Robinson of Chambers, Savage, Steadham, Stringer, Sturdivant, Whitfield, and Worthy, of the House—34.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Huckabee and Powell of Tuscaloosa, of the Senate; and Messrs. Speaker, Caffey,

Connelly, Cotten, Cox, Davis of Bibb, Dobson, Doster, Goldthwaite, Judkins, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Moore, Odum, Oliver, Richardson, Smith of Choctaw, Thrasher, Vansandt, and Warren of DeKalb, of the House—31.

Those who voted for Mr. Dalton are—

Mr. Jackson of Lauderdale, of the Senate; and Messrs. Bourland, Clark of Lawrence, Clark of Mobile, Freeman, Goodwin, Grant, Humphrey, McAlexander, McKinstry, McLester, Raisler, Sheffield, Thorn, Williams of Randolph, and Wilhite, of the House—16.

Neither candidate having received a majority of all the votes cast, the Convention proceeded to the

FOURTEENTH BALLOT.

Those who voted for Mr. Taul are :

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Jackson of Morgan, Montgomery, Norwood, Stansel, of the Senate; and Messrs. Ash, Ashford, Borden, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, Padgett, Plowman, Seawell, Smith of Jackson, Waller, and Williams of Jackson, of the House—33.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; and Messrs. Bankhead, Bethea, Calloway, Chapman, Crenshaw, Culver, Davis of Barbour, Faulk, Frazer, Goodwin, Judkins, Lanier, Manasco, McCoy of Russell, Moore, Owens, Palmer, Pierce, Pipkin, Richardson, Robinson of Baldwin, Robinson of Chambers, Savage, Stringer, Sturdivant, Whitfield and Worthy, of the House—36.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Edwards, Felder, Foster, Huckabee, Sykes and Wood, of the Senate; and Messrs. Speaker, Brandon, Caffey, Connelly, Cox, Davis of Bibb, Dobson, Doster, Echols, Goldthwaite, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Morse, Odum, Oliver, Potter, Smith of Choctaw, Thrasher, Vansandt, and Warren, of DeKalb, of the House—33.

Those who voted for Mr. Dalton are—

Messrs. Jackson of Lauderdale, and Winston of the Senate; and Messrs. Bourland, Freeman, Grant, Humphrey, McAlexander, McKinstry, McLester, Raisler, Sheffield, Thorn, Williams of Randolph, and Wilhite, of the House—14.

Neither candidate having received a majority of all the votes cast,

On motion of Mr. Clarke of Mobile,

The name of Mr. Dalton was withdrawn, and Mr. Drake moved that the Convention adjourn ;

Which was lost.

The convention then proceeded to take the

FIFTEENTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Norwood, Stansel, and Woodliff, of the Senate; and Messrs. Ash, Ashford, Bankhead, Borden, Bush, Clark of Mobile, Craig, Ellis, Freeman, Hardie, Hawthorne, Henry, Humphrey, Ledbetter, Leeper, Mabry, McBee, McCann, McLester, Padgett, Plowman, Richardson, Seawell, Sheffield, Smith of Jackson, Thorn, Walker, Waller, and Williams of Jackson, of the House—40.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, Powell of Macon, and Wood, of the Senate; and Messrs. Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gibson, Goodwin, Humphrey, Lanier, Manasco, McAlexander, McCoy of Russell, McMillan, Moore, Owens, Palmer, Pierce, Pipkin, Raisler, Robinson of Baldwin, Robinson of Chambers, Savage, Stringer, Sturdivant, Whitfield, and Worthy, of the House—40.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Huckabee, Powell of Tuscaloosa, Sykes and Winston of the Senate; and Messrs. Speaker, Bourland, Brandon, Caffey, Clark of Lawrence, Connelly, Cotten, Cox, Davis of Bibb, Dobson, Doster, Goldthwaite, Grant, Judkins, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, McKinstry, Morse, Odum, Oliver, Potter, Smith of Choctaw, Steadham, Thrasher, Tompkins, Vansandt, Warren of DeKalb, Williams of Randolph, and Wilhite, of the House—42.

Neither of the candidates having received a majority of all the votes cast, Mr. Smith, of Choctaw, moved that the Convention adjourn ;

Which was lost.

The Convention then proceeded to the

SIXTEENTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Jackson, of Lauderdale, Jackson of Morgan, Montgomery, Norwood, Powell of Macon, Stansel, Winston, and Woodliff, of the Senate ; Messrs. Ash, Borden, Bush, Clark of Mobile, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Lindsey, Mabry, McBee, McCann, McLester, Padgett, Plowman, Seawell, Sheffield, Smith of Jackson, Thorn, Waller, and Williams of Jackson, of the House—38.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Wood of the Senate ; Messrs. Ashford, Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barb., Echols, Faulk, Frazer, Freeman, Goodwin, Grant, Hawthorne, Lanier, Manasco, McAlexander, McCoy of Russell, McMillan, Owens, Palmer, Padgett, Pierce, Pipkin, Raisler, Richardson, Robinson of Baldwin, Robinson of Chambers, Savage, Stringer, Sturdivant, Tompkins, Whitfield, and Worthy, of the House—43.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Huckabee, Powell of Tuscaloosa, and Sykes, of the Senate ; and Messrs. Speaker, Bourland, Brandon, Caffey, Clarke of Lawrence, Cotton, Cox, Davis of Bibb, Dobson, Doster, Goldthwaite, Jones, Judkins, Lawrence of Cherokee, Lawrence of Fayette, Lindsay, Malone, Malloy, McCain, McCoy of Tallapoosa, McKinstry, Morse, Oliver, Potter, Smith of Choctaw, Steadham, Thrasher, Vansandt, Warren of DeKalb, Williams of Randolph, and Wilhite, of the House—37.

Neither candidate having received a majority of all the votes cast ;

On motion of Mr. Smith of Choctaw, the Convention then adjourned.

The Senate returned to its chamber ;

And on motion of Mr. Norwood, adjourned until Monday morning, 10 o'clock.

MONDAY, Nov. 26.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Barron.

Upon the call of the Districts, the following bills were introduced :

Mr. Gage, a bill to incorporate the Mobile Building Block Company ;

Mr. Woodliff, a bill to incorporate the Georgia Petroleum Company ;

Also, a bill to incorporate the Shoal Creek Transportation Company ;

Mr. Drake, a bill to incorporate the Bell Factory Manufacturing Company ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Moren, a bill for the protection of Robert McIlvaine, as the administrator with the will annexed, of Charles H. Sandford, deceased ;

Also, a bill to authorize the administrators of David Ward, to sell the real estate of said decedent at private sale ;

Which were severally read three times under the suspension of the constitutional rule, and passed.

Mr. Lindsay, a bill to incorporate the Occocoposa Manufacturing Company ;

Mr. Stansel, a bill to amend and continue in force an act of incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, approved January 2, 1833 ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Garrett from the Committee on Finance and Taxation, reported favorably, with an amendment, to the bill to furnish books to the counties of Jackson, Madison and DeKalb ;

The amendment was adopted.

Mr. Lindsay moved to amend by inserting the county of Franklin after Madison ;

Which was adopted ;

Mr. Ashley moved to amend by inserting the words "or by fire," after the words "by the late war" ;

Which was adopted ;

Mr. Deason moved to amend by adding the following : "that the secretary of State furnish these books to the probate judges of all counties, when sufficient proof has been made that said books have been destroyed by fire or other unavoidable accidents ;

The bill and amendment were recommitted to the same Committee ;

Mr. Cooper, from the Judiciary Committee, reported favorably, with an amendment, to the bill to amend section 728 of the Code ;

The amendment was adopted, and the bill read a third time, under the suspension of the Constitutional rule, and passed.

Also, favorably to the House bill to authorize the construction of street railroads in the city of Selma ;

Which was read a third time, under a suspension of the constitutional rule, and passed ;

Mr. Foster, from the Committee on Accounts and Claims, reported favorably to the bill for the relief of the sheriff of Pickens county ;

Mr. Sykes, from the Committee on Finance and Taxation, reported favorably to the bill to relieve the trustees of LaGrange College, in Franklin county ;

Which were severally read a third time, under a suspension of the constitutional rule, and passed.

The Senate proceeded to consider the message of His Excellency, the Governor, transmitted to the Senate on the 22d inst., in regard to public lands donated by Congress for the support of an agricultural college ;

Mr. Garrett moved to refer the message to the Committee on Agriculture ;

Mr. Powell of Macon moved to refer it to a Select Committee, to be composed of one from each Congressional District, and two from the State at large ;

Which was put and carried.

Messrs. Powell, of Macon, Kilpatrick, Mitchell, Stansel, Forney, Sykes, Garrett and Powell, of Tuscaloosa, were appointed the committee.

Mr. Deason, from the Committee on Enrolled Bills reported the following bills correctly enrolled :

To provide for the insertion of certain laws in the Code of Alabama ;

For the relief of Wm. F. Hanby, administrator of the estate of David Hanby, deceased, late of Jefferson county ;

Making appropriations for the pay of members and officers of the present General Assembly ;

To authorize the court of county commissioners of Conecuh county to issue treasury notes and to levy a special tax ;

To regulate the appointment of overseers and supervisors of public roads in the county of Henry ;

To regulate the fees of justices of the peace and constables in the county of Montgomery.

The Senate proceeded to consider the report of the committee on special relief upon the bill—

To make Mrs. C. Jane Jones, wife of James A. Jones, of Macon county, a free dealer, which was under consideration yesterday at the adjournment.

The further consideration of the report was postponed and made the special order for to-morrow 11 o'clock.

The Senate proceeded to consider the special order, being the bill—

To amend section 1519 of the Code, and to provide a conventional rate of interest for the State.

On motion by Mr. Lindsay,

The bill was laid on the table.

Mr. Garrett asked leave of absence for the Doorkeeper until to-morrow, 12 o'clock, which was granted.

Mr. President laid before the Senate, the following communication from the Comptroller :

COMPTROLLER'S OFFICE, }
November 26, 1866. }

Hon. W. H. Crenshaw, President of the Senate :

SIR—In compliance with a resolution of the Senate, requiring the Comptroller to report the amount paid to public officers for back pay as salaries prior to the inauguration of the Provisional Government of Alabama, I have the honor to state, that I have paid out thirty-four thousand four hundred and eighty-nine dollars and twenty-five cents (\$34,489.25). The name of each person and the amount received is here attached.

The payment was made in accordance with the advice and decision of the Attorney General of the State, which is on file in the Comptroller's Office.

Judge Coleman demanded payment of back salary as circuit judge, amounting to five thousand six hundred and three dollars and twenty-six cents, the payment of which has been withheld. Other claims have been presented for payment, none of which have been filed in the office. The largest one in amount was for manufacturing salt.

Very respectfully,

M. A. CHISHOLM.

The communication and statement thereunto attached, were referred to the committee on Finance and Taxation.

The hour of 12 o'clock having arrived, the Senate was invi-

ted into the Hall of the House for the purpose of proceeding with the election of a Secretary of State.

The Senate repaired to the Hall of the House, and the convention proceeded to ballot for the seventeenth time.

SEVENTEENTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Moren, Norwood, Stansel, Winston, and Woodliff, of the Senate; and Messrs. Ash, Ashford, Borden, Bourland, Brandon, Bush, Craig, Ellis, Goodwin, Grant, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, McKinsty, McLester, Padgett, Pierce, Plowman, Richardson, Seawell, Sheffield, Smith of Jackson, Sturdivant, Thorn, Tompkins, Waller, and Williams of Jackson, of the House—48.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; and Messrs. Bankhead, Bethea, Callaway, Chapman, Cotten, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gafford, Gibson, Humphrey, Lanier, Manasco, McAlexander, McCoy of Russell, McMillan, Moore, Owens, Palmer, Pipkin, Raisler, Robinson of Baldwin, Robinson of Chambers, Savage, Steadham, Stringer, Whitfield, and Worthy, of the House—39.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Powell of Tuscaloosa, Sykes, and Wood, of the Senate; and Messrs. Speaker, Caffey, Clark of Lawrence, Connelly, Davis of Bibb, Dobson, Doster, Freeman, Goldthwaite, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Morse, Odum, Oliver, Potter, Smith of Choctaw, Thrasher, Vansandt, Walker, Warren of DeKalb, Williams of Randolph, and Willhite, of the House—34.

Neither candidate having received a majority of all the votes cast, the convention proceeded to take the

EIGHTEENTH BALLOT.

Those who voted for Mr. Taul, are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gaze, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Moren, Norwood, Stansel, Winston, Wood, and Woodliff, of the Senate; and Messrs. Ash, Borden, Bourland,

Brandon, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, McCoy of Tallapoosa, Lester, Padgett, Pierce, Plowman, Potter, Seawell, Sheffield, Smith of Jackson, Steadham, Thorn, Waller, and Williams of Jackson, of the House—46.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; and Messrs. Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gafford, Goodwin, Humphrey, Lanier, Manasco, McAlexander, McCoy of Russell, McMillan, Moore, Owens, Palmer, Pipkin, Raisler, Richardson, Robinson of Baldwin, Robinson of Chambers, Savage, Steadham, Stringer, Whitfield, and Worthy, of the House—39.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Powell of Tuscaloosa, and Sykes, of the Senate; and Messrs. Speaker, Ashford, Bankhead, Caffey, Connelly, Cotten, Davis of Bibb, Dobson, Doster, Freeman, Gibson, Goldthwaite, Grant, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, Morse, Odum, Oliver, Thrasher, Vansandt, Walker, Warren of DeKalb, Williams of Randolph, and Wilhite, of the House—35.

Neither candidate having received a majority of all the votes cast, the Convention then proceeded to the

NINETEENTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Moren, Norwood, Stansel, Winston, Wood, and Woodliff, of the Senate; and Messrs. Ash, Ashford, Borden, Bourland, Brandon, Bush, Ellis, Goodwin, Hand, Hardie, Hawthorne, Henry, Lawrence of Fayette, Ledbetter, Leeper, Mabry, McBee, McCann, McLester, Padgett, Pierce, Plowman, Potter, Seawell, Sheffield, Smith of Jackson, Thorn, Waller, and Williams of Jackson, of the House—46.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; Messrs. Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barbour, Faulk, Frazer, Freeman, Gafford, Grant, Humphrey, Lanier, Manasco, McAlexander, McCoy of Russell, McKinstry, McMillan, Moore, Owens, Palmer, Pipkin,

Robinson of Baldwin, Robinson of Chambers, Savage, Steadham, Stringer, Sturdivant, Tompkins, Whitfield, and Worthy, of the House—42.

Those who voted for Mr. Ogbourne are—

Messrs. President, Bell, Felder, Foster, Powell of Tuscaloosa, and Sykes, of the Senate ; and Messrs. Speaker, Caffey, Clark of Lawrence, Connelly, Cotten, Davis of Bibb, Dobson, Doster, Gibson, Goldthwaite, Lawrence of Cherokee, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Morse, Odum, Oliver, Raisler, Richardson, Smith of Choctaw, Thrasher, Vansandt, Walker, Williams of R, and Wilhite, of the House—33.

Neither of the candidates having received a majority of all the votes cast, the Convention proceeded to the

TWENTIETH BALLOT.

Those who voted for Mr. Taul are—

Messrs. President, Barnes, Cooper, Deason, Drake, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackso of Morgan, Montgomery, Moren, Norwood, Powell of Macon, Stansel, Sykes, Winston, Wood and Woodliff, of the Senate ; and Messrs. Ash, Ashford, Borden, Bourland, Brandon, Bush, Craig, Ellis, Freeman, Goodwin, Grant, Hand, Hardie, Hawthorne, Henry, Ledbetter, Leeper, Mabry, McBee, McCann, McLester, Padgett, Pierce, Plowman, Seawell, Sheffield, Smith of Jackson, Sturdivant, Thorn, Waller, and Williams of Jackson, of the House—51.

Those who voted for Mr. Brittan are :

Messrs. Ashley, Bell, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, and Mitchell of the Senate ; and Messrs. Bankhead, Bethea, Callaway, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gafford Gibson, Goldthwaite, Humphrey, Lanier, Manasco, McAlexander, McCoy of Russell, McKinstry, McMillan, Moore, Owens, Palmer, Pipkin, Raisler, Robinson of Baldwin, Robinson of Chambers, Savage, Steadham, Stringer, and Worthy of the House—39.

Those who voted for Mr. Ogbourne are—

Messrs. Felder, Foster, and Powell of Tuscaloosa, of the Senate ; and Messrs. Speaker, Caffey, Clark of Lawrence, Connelly, Cotten, Davis of Bibb, Dobson, Doster, Lawrence of Cherokee, Lawrence of Fayette, Lindsey, Malone, Malloy, McCain, McCoy of Tallapoosa, Morse, Odum, Richardson, Smith of Choctaw, Thrasher, Tompkins, Vansandt, Walker, Williams of Randolph, and Wilhite of the House—28.

Neither of the candidates having received a majority of all the votes cast, the Convention proceeded to the

TWENTY-FIRST BALLOT.

Those who voted for Mr. Taul are—

Messrs. President, Cooper, Deason, Drake, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Moren, Norwood, Stansel, Sykes, Winston, Wood, and Woodliff, of the Senate; Messrs. Ash, Borden, Bourland, Brandon, Bush, Craig, Ellis, Hand, Hawthorne, Henry, Lawrence of Fayette, Ledbetter, Leeper, Mabry, McBee, McCain, McCann, McKinstry, McLester, Padgett, Pierce, Plowman, Potter, Raisler, Seawell, Smith of Jackson, Thorn, Vansandt, Waller, and Williams of Jackson, of the House—49.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Bell, Boykin, Castens, Edwards, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; Messrs. Bankhead, Bethea, Callaway, Chapman, Crenshaw, Culver, Davis of Barbour, Echols, Faulk, Frazer, Gafford, Gibson, Goldthwaite, Humphrey, Lanier, Manasco, McAlexander, McCoy of Russell, McMillan, Moore, Owens, Palmer, Pipkin, Robinson of Baldwin, Robinson of Chambers, Savage, Steadham, Sturdivant, Tompkins, Whitfield, and Worthy, of the House—42.

Those who voted for Mr. Ogbourne are—

Messrs. Felder, Foster, and Powell of Tuscaloosa, of the Senate; Messrs. Speaker, Caffey, Clarke of Lawrence, Connelly, Cotton, Davis of Bibb, Dobson, Doster, Freeman, Grant, Lawrence of Cherokee, Lindsey, Malone, Malloy, McCoy of Tallapoosa, Morse, Odum, Richardson, Smith of Choctaw, Thrasher, Walker, Warren of DeKalb, Williams of Randolph, and Wilhite, of the House—27.

Neither candidate having received a majority of all the votes cast, Mr. Foster withdrew the name of Mr. Ogbourne.

Mr. Goodwin then placed in nomination the name of Mr. Dalton, when the Convention proceeded to the

TWENTY-EIGHTH BALLOT.

Those who voted for Mr. Taul are—

Messrs. President, Barnes, Cooper, Deason, Drake, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Montgomery, Norwood, Powell of Tuscaloosa, Stansel, Sykes, Wood, and Woodliff, of the Senate; and Messrs. Speaker, Ash, Borden, Bourland, Brandon, Bush, Craig, Ellis, Hand, Hardie, Hawthorne, Henry, Lawrence of Cherokee, Lawrence of Fay-

ette, Ledbetter, Leeper, Mabry, Malone, McBee, McCain, McCann, McLester, Odum, Padgett, Pierce, Plowman, Potter, Seawell, Smith of Jackson, Sturdivant, Thorn, Vansandt, Waller, and Williams of Jackson, of the House—53.

Those who voted for Mr. Brittan are—

Messrs. Bell, Boykin, Castens, Edwards, Felder, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; and Messrs. Bankhead, Bethea, Caffey, Callaway, Chapman, Crenshaw, Culver, Doster, Echols, Faulk, Frazer, Gafford, Gibson, Goldthwaite, Humphrey, Lanier, Lindsey, Manasco, McCoy of Russell, McCoy of Tallapoosa, McMillan, Moore, Morse, Owens, Palmer, Pipkin, Robinson of Baldwin, Robinson of Chambers, Savage, Smith of Choctaw, Steadham, Stringer, Thrasher, Walker, Whitfield, and Worthy, of the House—46.

Those who voted for Mr. Dalton are—

Messrs. Ashley, and Jackson of Lauderdale, of the Senate; and Messrs. Clark of Lawrence, Connelly, Cotton, Davis of Barbour, Davis of Bibb, Dobson, Freeman, Goodwin, Grant, Malloy, McAlexander, McKinstry, Raisler, Richardson, Sheffield, Tompkins, and Willhite, of the House—19.

Neither candidate having received a majority of all the votes cast, Mr. Goodwin withdrew the name of Mr. Dalton, when the Convention proceeded to the

TWENTY-THIRD BALLOT.

Those who voted for Mr. Taul, are—

Messrs. President, Barnes, Cooper, Deason, Drake, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Moren, Norwood, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood, and Woodliff, of the Senate; and Messrs. Speaker, Ash, Ashford, Borden, Brandon, Bush, Clark of Lawrence, Craig, Ellis, Freeman, Goodwin, Grant, Hand, Hardie, Hawthorne, Henry, Lawrence of Cherokee, Lawrence of Fayette, Ledbetter, Leeper, Mabry, Malone, Malloy, McBee, McCain, McCann, McKinstry, McLester, Odum, Padgett, Pierce, Plowman, Potter, Richardson, Seawell, Sheffield, Smith of Jackson, Sturdivant, Thorn, Tompkins, Vansandt, Waller, and Williams of Jackson, of the House—65.

Those who voted for Mr. Brittan are—

Messrs. Ashley, Bell, Boykin, Castens, Edwards, Felder, Jones, Kilpatrick, Lindsay, Mitchell, and Powell of Macon, of the Senate; Messrs. Bankhead, Bethea, Caffey, Callaway, Chap-

man, Cotten, Crenshaw, Culver, Davis of Barb., Dobson, Doster Echols, Faulk, Frazer, Gafford, Gibson, Goldthwaite, Humphrey, Lanier, Lindsey, Manasco, McAlexander, McCoy of Russell, McCoy of Tallapoosa, McMillan, Moore, Morse, Owens, Palmer, Pipkin, Raisler, Robinson of Baldwin, Robinson of Chambers, Savage, Smith of Choctaw, Steadham, Stringer, Thrasher, Walker, Whitfield, Williams of Randolph, Willhite, and Worthy, of the House—54.

Mr. Taul, having received a majority of all the votes cast, Mr. Speaker declared him duly elected Secretary of State, for the time prescribed by the constitution.

The business of the convention being concluded, the Senate returned to its chamber, and proceeded to consider the next special order, the bill—

To prevent trespass in certain cases ;

The question pending, being Mr. Norwood's motion to strike out the word "fruit ;"

Mr. Stansel, offered the following as a substitute for Mr. Norwood's amendment—

Provided, That in case of the taking of fruit, the circuit court alone, shall have cognizance of the same, and the grand jury shall have discretion, whether to find a bill or not, as in their judgment, the public good may require ;

Which was accepted by Mr. Norwood, in lieu of his, and the amendment was adopted.

Mr. Deason offered the following amendment :

Insert after the word "person" in the third line the following : after being notified that such trespassing would not be allowed ;

Which was lost.

Mr. Lindsay moved to amend by inserting the word "felloniously" after the word "intent ;"

Pending the consideration of which, on motion by Mr. Felder,

The Senate adjourned until-to-morrow morning, 10 o'clock.

TUESDAY, November 27th.

The Senate met pursuant to adjournment.

Upon the call of the Districts the following bills were introduced :

Mr. Mitchell, a bill to authorize Benj. B. and Theophilus L. Fountain, citizens of the State of Georgia, to qualify as executors of the estate of John Fountain ;

Mr. Barnes, a bill for the relief of Wm. L. Thomas, of Chambers county ;

Which bill was severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Felder, a bill for the relief of Geo. E. Brewer, Adjutant and Inspector General of Alabama ;

Which was read twice under a suspension of the constitutional rule.

Mr. Felder moved to refer the bill to the Committee on the Military ;

Which was lost,

And the bill was referred to the Committee on Finance and Taxation.

Mr. Felder presented the account of Chas. P. May ;

Which was referred to the Committee on Accounts and Claims.

Mr. Barnes, a bill to explain and construe 11th subdivision of section 3, chapter 1, of an act to establish revenue laws for the State of Alabama, approved February 22, 1866 ;

Mr. Stansel, a bill for the relief of Barbara M. Ralph ;

Mr. Lindsay, a bill to regulate proceedings in the Chancery Court ;

Mr. Jackson of M., a bill to exempt from levy and sale certain property therein named ;

Mr. Stansel, a bill for the relief of John A. Burchfield ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Forney presented the petition of Mrs. M. A. Barclay in behalf of the soldier's orphans ;

Which was referred to a select committee of three.

Messrs. Cooper, Forney and Gage, were appointed the committee.

Message from the Governor by his Private Secretary, Mr. Benjamin H. Screws :

EXECUTIVE DEPARTMENT,
MONTGOMERY, Nov. 27, 1866.

Mr. President :

I am directed by the Governor to inform the Senate that he has this day approved bills, which originated in the Senate, of the following titles :

An act for the relief of Wm. F. Hanby, administrator of the estate of David Hanby, deceased, late of Jefferson county ;

An act to provide for the insertion of certain laws in the Code of Alabama ;

An act to regulate the fees of justices of the peace and constable in the county of Montgomery ;

An act for the making appropriate for the pay of the members and officers of the present General Assembly ;

An act to regulate the appointment of overseers and supervisors of public roads in the county of Henry ;

An act to authorize the court of county commissioners of Conecuh county to issue treasury notes and levy a special tax.

Mr. Stansel, from the Judiciary Committee, reported favorably to the bill—

To amend and continue in force an act to incorporate a company to build a bridge across the Warrior river, opposite the town of Tuscaloosa, approved February 23, 1863:

The bill was re-committed to the same committee.

Mr. Kilpatrick, from the Judiciary Committee, to whom was referred a resolution instructing said committee to inquire into the expediency of abolishing the county court, and enlarging the jurisdiction of the justices of the peace, reported it as inexpedient to legislate upon the subject.

The report was concurred in.

Mr. Ashley, from the Committee on Finance and Taxation, reported favorably to the bill to provide blank books for Conecuh county.

Mr. Jones moved to amend by inserting the county of Fayette ;

Which was adopted.

Mr. Norwood moved to amend by inserting the county of Jackson ;

Which was adopted.

And the bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Lindsey, from the Judiciary Committee, reported favorably to the bill to incorporate the Occocoposa Manufacturing company of Mobile ;

Mr. Jones, from the Committee on Corporations, reported favorably to the bill to incorporate the Chickasabogue Manufacturing company ;

Mr. Stansel, from same committee, reported favorably to the bill to amend an act to incorporate the Planters and Merchants Mutual Insurance company ;

Also, favorably to the bill to incorporate the Home Insurance company ;

Mr. Norwood, also from the same committee, reported favorably to the bill to incorporate the Gold Ridge Mining company ;

Aslo, favorably to the bill to incorporate the Arbacoochee and North Alabama Gold Mining company;

Mr. Forney also favorably to the bill to amend an act to incorporate the Citizens Mutual Insurance company of Mobile;

Also favorably to the bill to incorporate the Choctaw county Manufactnrng company;

Mr. Powell of Macon, from select committee, reported favorably to the bill for the relief of Reuben L. Sullivan, of Coosa county;

All of which were severally read a third time, under a suspension of the constitutional rule, and passed.

Mr. Jones, from the Committee on Corporations, reported a substitute for the bill,

To amend the charter of the Mobile Trade Company ;

The substitute was adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Jones, from the Committee on Corporations, reported favorably, with amendments, to the bill,

To incorporate the Alabama Express Company ;

The amendments were adopted, and the bill read a third time, under a suspension of the constitutional rule, and passed.

Mr. Sykes, from the Committee on Banks and Banking, to whom was referred a bill,

To compel the cashier of the chartered banks to protest their bills when presented for redemption, asked to be discharged from the further consideration of the same, and recommended that it be referred to the Judiciary Committee.

The Committee was discharged, and the bill recommitted to the Judiciary Committee.

Mr. Sykes, from the Committee on Banks and Banking, reported favorably, with an amendment, to the bill,

To destroy the cancelled bills or notes of the Bank of Selma now or hereafter received in the office of the comptroller of public accounts.

The amendment was adopted, and the bill read a third time under a suspension of the constitutional rule, and passed.

The Senate then proceeded to consider the Special Orders, being the bill,

To incorporate the Warrior Bridge, Pontoon and Ferry Company ;

The bill was recommitted to the Judiciary Committee.

Mr. Kilpatrick, from the Select Committee, reported adversely to sundry bills referred to said committee making certain parties free-dealers ;

The further consideration of which was postponed and made the special order for to-morrow, 10 o'clock.

The Senate bill for the relief of Allen H. Johnson and Jas. G. Barnes, of Tuscaloosa county ;

Was read a third time and passed.

Ordered forthwith to the House.

The Senate proceeded to consider the Special Order,

The bill to prevent trespasses in certain cases.

On motion of Mr. Felder, the further consideration of the bill was indefinitely postponed.

The bill to prevent the abatement of prosecutions by the repeal, revision, amendment or alteration of laws ;

Was read a second time and referred to the Judiciary Committee.

By leave, Mr. Cooper introduced a bill to make an appropriation to the Orphan's Home of the Synod of Alabama ;

Which was read twice under a suspension of the constitutional rule and referred to a select committee, composed of Messrs. Cooper, Forney and Gage.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills :

To increase the rates of toll of the Cahaba Bridge ;

To authorize the court of county commissioners of Marengo county to borrow \$25,000.

The House has passed the Senate bill—

To incorporate the Wilcox Monumental Association ;

And amended and passed the Senate bill—

To repeal sections 104, 105 and 106 of the revenue laws of the State, by striking out section 105.

The House refuses to pass the Senate bill—

For the relief of Caroline M. Baldwin.

Mr. President :

The House concurs in the Senate amendment to the House resolution to adjourn on the 7th of December next.

Also, they have concurred in the Senate joint resolution to appoint a committee to examine the best model of artificial limbs.

House committee—Messrs. Owens, Mabry and Moore.

T. CLANTON, Clerk.

By leave, Mr. Gage introduced a bill for the relief of the

Bank of Mobile, by releasing the bonus now due and unpaid ;
Which was read twice, under a suspension of the constitutional rule.

Mr. Drake moved to amend by inserting the Northern Bank of Alabama.

The bill and amendment were referred to the committee on Banks and Banking.

The Senate proceeded to consider the House messages.

The House bill—

In relation to the Alabama Insane Hospital ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on the Insane Hospital.

The House bill—

To amend an act to authorise the courts of county commissioners of the counties of Coosa, Macon and Lowndes to issue county bonds for building public bridges in said counties, approved Jan. 20th, 1866 ;

Was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

The House bills—

For the relief of defendants in judgment, rendered upon contracts, made between the 1st of September, 1861, and May 1st, 1865 ;

To amend section 713 of the Penal Code, so as to authorize probate judges to admit to bail on writs of *habeas corpus*, in certain cases of felony, before conviction ;

For the relief of James B. F. Lindsay, of Tallapoosa county ;

Respecting and regulating suits to enjoin or restrain proceedings or judgments at law ;

To regulate Judicial proceedings ;

To regulate the courts of the middle chancery division ;

For the relief of Phillip T. Avery, of Chambers county ;

To regulate admiralty proceedings in the city courts of Mobile county ;

For the relief of executors, administrators and guardians :

Prescribing the manner in which executors, administrators, and guardians, shall execute their official bond in Greene county ;

For the relief of Rufus Forester of Randolph county ;

To allow the officers of Barbour county to charge and receive fifty per cent. on the fees now allowed by law in the Code of Alabama ;

To repeal an act, the more effectually to prevent the offences

of grand larceny, arson and burglary, approved Dec. 15th, 1865;

Were severally read twice, under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

The House bills—

To change the time of holding the circuit court of the county of Coosa, and to repeal an act therein named;

To amend section 2144 of the Code;

Were severally read a first time and ordered to a second reading.

The House bill—

To increase the rates of toll of the Cahaba bridge;

Was read twice under a suspension of the constitutional rule, and referred to the Committee on Roads, Bridges and Ferries.

The House bill—

To authorize the commissioners court of Marengo county to borrow twenty five thousand dollars;

Was read three times, under a suspension of the constitutional rule, and passed.

The Senate concurred in the amendment of the House to the Senate bill—

To repeal sections 104, 105 and 106, of an act to establish revenue laws of the State of Alabama and to remit the penalties incurred therein.

On motion by Mr. Lindsay, the resolution to appoint a committee of one from each judicial circuit to apportion senators and representatives among the several counties of this State according to the census of 1866, was taken from the table.

Mr. Lindsay moved to amend by substitute as follows:

That a joint committee of the two Houses, to be composed of one from each congressional district and two from the State at large, be appointed to apportion senators, representatives and members to the Congress of the United States, among the several counties of this State according to the census returns of 1866;

Which was adopted, and the resolution as amended was adopted.

Mr. Garnett, from the 3d District.

“ Gage, “ “ 1st “

“ Boykin, “ “ 2d “

“ Huckabee, “ “ 4th “

“ Drake, “ “ 5th “

“ Jackson of M., “ “ 6th “

“ Ashley and Winston, from the State at large,

Were appointed the committee.

On motion by Mr. Garrett, the Senate adjourned until tomorrow morning 10 o'clock.

THURSDAY, November 28.

The Senate met pursuant to adjournment.

Prayer by Rev. J. B. Taylor.

Upon the call of the Districts, the following bills were introduced :

Mr. Kilpatrick, a bill to amend the 9th item of section 3992 of the Code, and authorizing jailors to receive jail fees, for keeping insolvent prisoners, every six months ;

Mr. Ashley, a bill to amend section 551 of the Code, relating to subpœnas to witnesses to appear before grand juries ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Barnes, a bill to authorize the commissioners court of Chambers county to borrow money and provide the means of repaying the same.

Which was read three times, under a suspension of the constitutional rule, and passed.

Also, a bill to legalize the marriage between James Swan and Sallie Kilgore, of Randolph county ;

Which was read twice, under a suspension of the constitutional rule ;

Mr. Garrett moved to refer the bill to the Judiciary Committee ;

Which was lost, and the bill was read a third time forthwith and passed.

Mr. Sykes, a bill to make Mrs. J. O. Warren, wife of James M. Warren, of Lawrence county, a free dealer ;

Which was read twice under a suspension of the constitutional rule and made the special order for Monday next, 11 o'clock.

Mr. Woodliff, a bill to incorporate the town of Gadsden, in Cherokee county ;

Which was read twice under a suspension of the constitutional rule and referred to the Committee on Corporations.

Mr. Lindsay, a bill to authorize John Whiting, commissioner and trustee, to make a deed to Isaac E. Young ;

Which was read twice under a suspension of the constitutional rule and referred to the Committee on Banks and Banking.

Mr. Cooper, a bill to make Isabella Maria Longmire, and Caroline M. Baldwin free dealers ;

Which was read twice under a suspension of the constitutional rule and referred to the Select Committee on special relief.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To incorporate the Wilcox Monumental Association ;

To repeal section 104, 105, 106 of an act to establish revenue laws of the State, and to remit the penalties incurred therein.

Mr. Forney, from the Committee on Corporations, reported favorably, with amendments to the bill to incorporate the city of Greenville ;

The amendments were adopted, and the bill read a third time and passed ;

Also, favorably to the bill to incorporate the Central Mining and Manufacturing Company of Alabama ;

To incorporate the Georgia Petroleum Company.

Mr. Stansel, from same committee, reported favorably to the bill to incorporate the Southern Life Assurance and Trust company of Mobile ;

Mr. Deason, from same committee, reported favorably to the bill to incorporate the Mobile Building Block company ;

Mr. Jones, from same committee, reported favorably to the bill to incorporate the Shoal Creek Transportation company ;

Mr. Barnes, from the Judiciary Committee, reported favorably to the House bill to regulate admiralty proceedings in the circuit and city courts of Mobile ;

All of which were severally read a third time, under a suspension of the constitutional rule, and passed.

Mr. Edwards, from the Committee on County Boundaries, reported favorably, with amendments, to the bill to form a new county, to be called the county of King ;

The bill and amendment were referred to the Judiciary Committee.

Mr. Drake, from the Committee on the Penitentiary, reported favorably, with an amendment, to the bill to authorize the lessees of the State Penitentiary to work the convicts outside the prison walls ;

The bill was re-committed to the same committee.

Mr. Kilpatrick, from the Select Committee on Special Relief, reported adversely to granting the petition for relief on the part of J. M. Daniel and others, of Cherokee county ;

The petition was re-committed to the Committee on Propositions and Grievances.

Mr. Drake, from the Committee on Corporations, reported favorably, with an amendment, to the bill to incorporate the Bell Factory Manufacturing company;

The amendment was adopted, and the bill read a third time and passed.

The Senate proceeded to consider the special orders for 11 o'clock to-day, being sundry bills declaring certain parties free dealers.

The further consideration of the various bills was postponed, and made the special order for Monday next, 11 o'clock.

Mr. Barnes, from the Joint Select Committee of the two Houses on the Revised Code, to which was referred the recommendations of changes in the Code and statute laws of the State, by the Commissioner to compile the Revised Code, reported the following bills:

All of which were severally read twice under a suspension of the constitutional rule, and their further consideration postponed to, and made the special order of Friday next, 11 o'clock.

To fix the salary of the Marshal and Librarian of the supreme court;

To require the Secretary of State to deliver copies of the acts and journals of the General Assembly to the State printers within the time prescribed by law;

To amend section 74 of the Code;

To define the persons exempt from road duty and limit the liability to work upon public roads;

To repeal certain sections of an act to amend the laws in relation to elections in certain cases, approved December 8, 1862;

To amend section 2632 of the Code;

To amend section 2820 of the Code;

To amend section 2183 of the Code;

To regulate the mode of releasing persons held to bail in this State where the grounds of bail are denied and where schedules are filed;

To amend an act to amend section 1860 of the Code, approved January 7, 1858;

To regulate the sale of personal property of decedents by order of courts of probate;

To amend section 487 of the Penal Code;

To prescribe a form for letters testamentary;

To prescribe forms for letters of administration;

To make it the duty of the court to impose the punishment in all offences punishable by hard labor ;

To repeal section 2526 of the Code ;

To amend an act making copies of deeds evidence in certain cases, approved December 12, 1853 ;

To enlarge the jurisdiction of Justices of the Peace, in cases of injury to stock by railroads and for other purposes ;

To repeal section 1097 of the Code ;

To amend section 247 of the Code ;

To amend section 248 of the Code ;

To repeal section 979 of the Code ;

For the preservation of oysters in this State ;

To repeal parts of an act therein named, and to prevent the conversion of money by certain officers ;

To amend section 144 of the Code ;

To amend section 1242 of the Code ;

To amend an act to increase the duties of overseers on public roads and to prevent parties from joining fences to public bridges ;

To amend an act to encourage immigration and to encourage imigrant labor ;

To regulate the time for election of State printer and term of his office ;

To fix the pay and mileage of members and officers of the General Assembly ;

To amend section 78 of the Code ;

To provide for cessions to the United States of lands within this State for certain specified purposes ;

To prescribe an additional oath to the officers of the State, and to repeal section 110 of the Code ;

To provide for keeping the Alabama State tract books, and to furnish registers from the same to the several counties of this State ;

To amend an act therein named, with reference to the bond of the Secretary of State ;

To amend an act to regulate the office of attorney-general ;

To enlarge the duties of the attorney-general of the State ;

To construe "an act to regulate judicial proceedings," approved February 20th, 1866 ;

To require sheriffs and other officers selling lands, to make titles or deeds thereto ;

To amend section 2566 of the Code ;

To fix the fees of the clerk of the supreme court ;

For binding up the record of the supreme court cases ;

To amend section 6 of an act to regulate judicial proceedings, approved January 20, 1866 ;

To provide for the demanding of abstracts of titles in real actions from the parties thereto.

Message from the House by Mr. Clanton :

Mr. President :

The House has adopted the following joint resolutions, and respectfully ask the concurrence of the Senate in the same :

The House has also originated and passed the following bills :

To extend jurisdiction of justices of the peace in Carrollton beat, Pickens county ;

To authorize Mrs. Mary Ann Taylor to rent the estate of Jesse P. Taylor, deceased, by private contract ;

To prevent trespass by camp hunters in Randolph county ;

For relief of poor of Shelby county ;

For the relief of executors of Robert Curtis, deceased, late of Choctaw county ;

To prohibit the sale of ardent spirits within certain bounds of Adoniram church in the county of Henry ;

To authorize the Secretary of State to furnish the probate judges of Morgan and Lawrence counties with certain books destroyed during the war ;

To authorize the administrators of Daniel H. Avery, deceased, to retain decedent's interest in the firm of Leach & Avery ;

To authorize the commissioners courts of Perry, Lawrence and Franklin counties to issue bonds, to build bridges, repair public buildings, and for other purposes ;

For the protection of crops within certain limits in Dallas county ;

To repeal "an act to regulate the mode of selecting grand and petit jurors for the county of Perry" ;

To prohibit the sale of spirituous or intoxicating liquors within two miles of the academy and church near Alfred Collins in DeKalb county ;

To regulate the practice in the circuit courts of Washington and Baldwin ;

To secure the privacy of the grounds of the Alabama Insane Hospital ;

To recharter a turnpike or raised way in Lawrence county ;

Concerning vagrants and vagrancy in the county of Washington ;

To grant the right of way to the Washington Avenue Railroad company and increase the capital stock of said company ;

To regulate proceedings in courts of chancery in reference to estates of decedents ;

To authorize the removal of the administration of the estate of W. F. Pitts, deceased, from the county of Marengo to the county of Tuscaloosa ;

To establish a criminal court for the county of Montgomery with civil jurisdiction ;

To fix the time of holding courts in the 2d judicial circuit;

To authorize the sheriff of DeKalb county to discharge the duties of bailiff or constable in Lebanon beat No. 7 of said county ;

To authorize the commissioners court of Barbour county to levy a tax for county purposes ;

To change the time of holding the circuit court of Dallas county ;

To prohibit the sale of ardent spirits, except for medical purposes, within three miles of the Male and Female Academy at Pushmataha, in Choctaw county.

T. CLANTON, Clerk.

Message from the Governor by his private secretary, Mr. Screws.

Mr. President:

I am directed by the Governor to inform the Senate that he has approved the following bills, which originated in the Senate:

An act to incorporate the Wilcox Monumental Association;

An act to repeal sections 104 and 106 of an act to establish revenue laws of the State of Alabama, and to remit the penalties incurred therein.

Very respectfully,

BEN. H. SCREWS,

Private Secretary.

On motion by Mr. Ashley,

Resolved, That the Joint Committee on Retrenchment, in the prosecution of their labors, be authorized to call upon any one of the departments of the State government for information, in writing, as to payment of public monies through their offices, and upon any parties connected with the receipt of any such monies ;

On motion by Mr. Garrett,

Resolved, That his Excellency the Governor be requested to lay before the Senate the contract for the lease of the penitentiary, made since the adjournment of the last session of the General Assembly, with Messrs. Smith and McMillan, as principals, and Messrs. Peters, A. K. Sheppard and Samuel Tate as sureties ;

On motion by Mr. Cooper,

Resolved, That the Attorney General be requested to furnish the Senate a copy of his several opinions asked for by the Comptroller in reference to the payment of certain claims against the State ;

On motion by Mr. Deason,

Resolved, That the Senate, in observance of the proclamation of the President of the United States, and of the Governor of this State, setting apart Thursday the 29th inst., as a day of thanksgiving and praise, when it adjourns to-day, will adjourn to meet again on Friday, the 30th inst., 10 o'clock.

The House bill—

To amend section 2144 of the Code, was read a second time, and referred to the Judiciary Committee ;

The House bill—

To change the time of holding the circuit court of Coosa county,

Was read a second time and laid on the table.

The joint resolutions proposing amendments to the constitution of this State,

Were read a second time, and referred to the Judiciary Committee.

The House joint resolution—

Of thanks to certain parties therein named,

Were postponed until Tuesday next.

The House bills—

To amend an act to prevent the destruction of fish in the Tennessee river ;

To authorize J. H. Lake, guardian, to make certain investments for the benefit of the minor heirs of James Lake, deceased ;

To provide for holding two terms of the chancery court for Choctaw county, for each year ;

To prohibit the sale of ardent spirits, except for medical purposes, within three miles of the male and female academy, at Pushmataha, in Choctaw county ;

To authorize the commissioners court of Barbour county to levy a tax for county purposes ;

To authorize the sheriff of DeKalb county to discharge the

duties of constable in Lebanon beat, No. 7, in said county ;

To authorize the removal of the administration of the estate of W. F. Fitts, deceased, from Marengo to Tuscaloosa county ;

To secure the privacy of the grounds of the Alabama Insane Hospital ;

To regulate the practice in the circuit courts, in Washington and Baldwin counties ;

To prohibit the sale of liquors within three miles of the male academy and church, near Alfred Collins, in DeKalb county ;

To repeal an act to regulate the mode of selecting grand and petit jurors in Perry county ;

In relation to the protection of crops, within certain limits, in Dallas county ;

To extend the jurisdiction of justices of the peace, in Carrollton beat, in Pickens county ;

To authorize the administration of Daniel H. Avery, deceased, to retain decedent's interest in the firm of Leach & Avery ;

To prohibit the sale of ardent spirits within certain bounds of Adoniram Church, in Henry county ;

For the relief of the executor of Robert Curtis, deceased, late of Choctaw county ;

For the relief of the poor of Shelby county ;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The House bills—

To change the time of holding the circuit court of Dallas county ;

To fix the time of holding the circuit court in the fourth judicial circuit ;

To amend an act to establish a criminal court for Montgomery county, with civil jurisdiction ;

To regulate judicial proceedings in courts of chancery in reference to estates of decedents ;

Concerning vagrants and vagrancy in Washington county ;

To prevent trespasses by camp hunters in Randolph county ;

To regulate the disposition of moneys arising from sales of property in attachment suits ;

Were severally read twice, under a suspension of the constitutional, and referred to the Judiciary Committee.

The House bill—

To authorize the commissioners' court of Perry, Lawrence, and Franklin to issue bonds, to build bridges, repair public buildings, and for other purposes ;

Was read twice, under a suspension of the constitutional rule.

Mr. Lindsay moved to amend by striking out the counties of "Lawrence and Franklin";

Which was carried, and the bill read a third time and passed.

The title was amended by striking out "Lawrence and Franklin."

The House bills—

To grant the right of way to the Washington Avenue Rail Road Company, and increase the capital of said company;

To re-charter a turnpike or raised way in Lawrence county;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

The House bill—

To authorize the Secretary of State to furnish to the probate judges of Morgan and Lawrence counties certain books destroyed during the war;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The House bill—

To authorize Mrs. Mary Ann Taylor to rent or lease the estate of Jesse P. Taylor, deceased, by private contract;

Was read twice, under a suspension of the constitutional rule, and ordered to a third reading.

On motion of Mr. Moren the bill to change the time of holding the fall term of the circuit court in the counties of Autauga and Bibb;

Was taken from the table and the question being on the passage of the bill;

It was passed.

The Senate proceeded to consider the House joint resolutions of thanks to certain parties therein named;

The consideration of the resolutions was postponed until Friday next.

On motion by Mr. Forney,

The Senate adjourned until Friday morning 10 o'clock.

FRIDAY, November 30th.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Barron.

Upon the call of the Districts the following bills were introduced—

Mr. Powell of Macon, a bill to incorporate the Union Springs Manufacturing and Savings Association ;

Which was read twice under the suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Garrett, a bill to suspend the payment of the common school and educational fund ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Education.

Mr. Montgomery, a bill to authorize B. W. Groce, of Greene county, to sell certain trust lands in Talladega county ;

Which was read three times under a suspension of the constitutional rule, and passed.

Mr. Cooper, a bill to give the Probate Judge of Wilcox county jurisdiction of the estate of William D. King, deceased, late of Marengo county ;

Which was read three times under a suspension of the constitutional rule, and passed.

Mr. Garrett, a bill to provide for printing and binding the Revised Code of Alabama ;

Which was read twice under a suspension of the constitutional rule, and its further consideration postponed and made the special order for to-morrow 12 o'clock.

Mr. Kilpatrick, from the Judiciary committee, reported favorably to the bill—

For the relief of Barbara M. Ralph ;

Mr. Cooper, from the same committee, also, favorably to the bill—

To aid in the preservation of human life on railroad trains ;

Mr. Forney, from the same committee, also, favorably to the bill—

To prevent the abatement of prosecutions by the repeal, amendment, or alteration of laws ;

Mr. Felder, from the same committee, also, favorably to the House bill—

For the relief of James B. F. Lindsay, of Tallapoosa county ;

Mr. Stansel, from the same committee, also, favorably to the bill—

To authorize the probate judge of Greene, Perry, and Pickens counties, to hire persons confined as convicts in the jail of their respective counties, and sentenced to hard labor, to work on the Cahaba, Marion and Greensboro railroad ;

All of which were severally read a third time under a suspension of the Constitutional rule, and passed.

Mr. Cooper from the same committee, asked to be discharged from the further consideration of the bill—

To exempt from levy and sale, certain property therein named ;

The committee were discharged, and the bill referred to the committee on special relief.

Mr. Jones, from the same committee, reported favorably to the bill—

To explain 11th subdivision of section 3, chapter 1, of an act to establish revenue laws for the State of Alabama, approved, February 22, 1866 ;

Mr. Barnes moved to amend, by inserting the word “shoes,” before the word “ten” ;

Which was adopted ;

And the bill read a third time under a suspension of the constitutional rule and passed.

Mr. Forney, from the Judiciary committee, reported favorably to the bill—

To refund to the United States or to such person as shall pay to the United States the public moneys appropriated by the State from the land office at Greenville ;

The bill was ordered to a third reading.

Mr. Felder, from the committee on State capital, to which was referred the account of John Callahan, reported a bill—

To pay John Callahan the sum of five hundred and seventy-six dollars, in full, for repairing the furniture of the Senate Chamber ;

Which was read three times, under a suspension of the constitutional rule, and passed.

Mr. Garrett presented a joint memorial to Congress for a tract of land to Savannah and Memphis Railroad Company, which was referred to the Committee on Internal Improvements.

On motion by Mr. Garrett—

Resolved, That the Committee on Education be directed to inquire into the expediency of dispensing with the office of superintendent of education for the State and counties, with leave to report by bill or otherwise.

On motion by Mr. Garrett—

Resolved, That the superintendent of education be directed to communicate to the Senate a statement of all payments that have been made during the year from the contingent educational fund—for what purpose, and to whom made.

On motion by Mr. Garrett—

Resolved, That the Committee on Finance and Taxation be instructed to inquire into the expediency of changing the present license law so far as the same relates to the county of Mo-

bile, so as to require the judge of probate of said county to pay the money arising from licenses into the State treasury, with leave to report by bill or otherwise.

On motion by Mr. Powell of Macon—

Resolved, That 150 copies of an act of Congress, approved July 2, 1862, entitled, "An Act to donate public lands to the several States and territories of the United States, which may provide colleges for the benefit of agriculture and the mechanic arts," to be printed for the use of the two Houses of the General Assembly.

Mr. Garrett offered the following preamble and resolutions, which were adopted :

WHEREAS, At the general election held in the State on the 6th day of November, 1865, the county treasurer was elected by the qualified voters of Coosa county, for the term of three years, who then resided, and still resides in that portion of Coosa county which was detached from said county of Coosa, and about to form a part of the new county of Elmore. Now, therefore, to the end that the status of said county treasurer may be determined,

Resolved, That the Judiciary Committee be instructed to inquire into the question presented in this preamble, and report in what county—Coosa or Elmore—said county treasurer holds his office, with leave to report by resolution or otherwise.

The following message was received from the Governor by his private secretary, Mr. B. H. Screws.

EXECUTIVE DEPARTMENT, }
Nov. 30, 1866. }

To the Senate :

In compliance with a resolution adopted by the Senate on the 28th inst., I transmit herewith a copy of the contract made with Messrs. Smith and McMillan, lessees of the State penitentiary.

R. M. PATTON, Governor.

The contract was referred to the committee on the Penitentiary.

Mr. President laid before the Senate the following communication :

ATTORNEY GENERAL'S OFFICE,
November 30th, 1866.

Hon. W. H. Crenshaw, President of the Senate :

SIR—In compliance with a request made by the Senate on

the 28th inst., I herewith transmit a copy of the only written opinion I have given concerning the payment of money by the State.

Very respectfully, your ob't serv't,

JOHN W. A. SANFORD,
Attorney General.

The opinion accompanying the communication was referred to the Committee on Finance and Taxation.

Message from the House by Mr. Clanton.

Mr. President :

The House has originated and passed the following bills:

To compensate sheriffs in certain cases of attachments ;

To create a new county of portions of Chambers, Tallapoosa, Macon and Russell counties, to be called the county of Lee ;

To repeal an act to authorize justices of the peace to take cognizance of and try cases of misdemeanor, approved January 20th, 1866 ;

To regulate the statute of limitations in certain cases ;

To amend section 160 of the Penal Code of Alabama ;

To amend the charter of the Protestant Orphan Asylum, located in Mobile ;

In relation to the burnt, lost or otherwise destroyed records and papers of the circuit, chancery, probate and commissioners courts of Limestone county ;

The House has passed the Senate bill—

Giving the time when certain laws shall take effect.

The House refuses to pass the Senate bills—

Extending the time of making the census returns ;

To make Sarah Elizabeth Marshall a free dealer.

The House has passed the Senate bill—

To establish a new county, to be called the county of Crenshaw.

T. CLANTON, Clerk.

Mr. Stansel, by leave, from the Judiciary Committee, reported a substitute for the House bill to add a new section to be called section 3, to an act to give a lien on the crop and stock, for advances made to assist in making the crop, with the following title :

To afford a remedy, in case of lien on the crop and stock, for advances made to assist in making the crop.

The substitute was adopted, and the bill read a third time,

under a suspension of the constitutional rule, and passed.
The House bill—

To form a new county out of portions of Chambers, Tallapoosa, Macon and Russell counties,

Was read three times, under a suspension of the constitutional rule, and passed—Yeas 27, nays 3.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Cooper, Edwards, Felder, Forney, Foster, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, Wood, and Woodliff—27.

NAYS—Messrs. Drake, Norwood and Castens—3.

The Senate proceeded to consider the special orders set for this day, 11 o'clock.

The bill to fix the salary of the marshal and librarian of the Supreme Court,

Was referred to the joint committee of the two Houses on retrenchments when raised.

The bill to define the persons exempt from road duty, and limit the liability to work on public roads ;

Mr. Drake moved to amend the bill by striking out all exemptions except as to females ;

Mr. Barnes moved to lay the amendment on the table,

Which carried—yeas 19, Nays 10.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Castens, Cooper, Deason, Edwards Forney, Foster, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Montgomery, and Sykes—19.

NAYS—Messrs. Drake, Garrett, Mitchell, Moren, Norwood, Powell of Macon, Stansel, Winston, Wood, and Woodliff—10.

Mr. Jackson of Morgan moved to amend by striking out the word "eighteen" in line two, and insert "sixteen" ;

Which was lost.

Mr. Norwood moved to strike out the word "licensed ministers ;"

Which was lost,

And the bill read a third time, under the suspension of the constitutional rule, and passed.

The bills to require the Secretary of State to deliver copies of the Acts and Journals of the General Assembly to the State Printer, within the time prescribed by law ;

To amend section 74 of the Code ;

To repeal certain sections of an act to amend the laws in relation to elections in certain cases, approved Dec. 8, 1862 ;

To amend section 2632 of the Code ;

To amend section 2820 of the Code ;

To amend section 2183 of the Code ;

To regulate the mode of releasing persons held to bail in this State, where the grounds of bail are denied, and where schedules are filed ;

To amend an act to amend section 1860 of the Code, approved January 27th, 1858 ;

For the preservation of oysters in this State ;

To repeal section 979 of the Code ;

To amend section 248 of the Code ;

To amend section 247 of the Code ;

To repeal section 1097 of the Code ;

To enlarge the jurisdiction of justices of the peace in cases of injury to stock by railroads, and for other purposes ;

To amend an act making copies of deeds evidence in certain cases, approved December 12th, 1853 ;

To repeal an act to amend section 2526 of Code, approved November 29th, 1864 ;

To make it the duty of the court to impose the punishment in all offenses punishable by hard labor ;

To prescribe a form of letters of administration ;

To prescribe a form for letters testamentary ;

To amend section 487 of the Penal Code ;

To regulate the sale of personal property of decedents by order of probate ;

Were severally read a third time, under a suspension of the constitutional rule, and passed.

On motion by Mr. Garrett, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, December 1.

The Senate met pursuant to adjournment.

Upon the call of the Districts, the following bills were introduced :

Mr. Gage, a bill to incorporate the Mobile Paper Manufacturing Company ;

Also, a bill to incorporate the Cowbellion De Rakin Society, of the city of Mobile ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Garrett, a bill to amend sections 1 and 11 of an act en-

titled an act to incorporate the Talladega and Opelika Railroad Company, approved December 9, 1859, amended by an act entitled an act to amend the charter of the Opelika and Talladega Railroad Company, approved November 9, 1861, and further amended by an act, approved February 20, 1866, entitled an act to amend an act entitled an act to amend the charter of the Opelika and Talladega Railroad Company, approved November 9, 1861 ;

Mr. Foster, a bill to repeal an act to provide for working the roads and building bridges in Washington county ;

Which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Foster, a bill (accompanied with a petition,) for the relief of P. Cayho, of Washington county ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Propositions and Grievances.

Mr. President, (Mr. Moren in the chair) a bill to incorporate the Vicksburg and Brunswick Railroad Company ;

Which was read twice under the suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

Mr. Jones, a bill to repeal an act entitled an act to allow creditors without liens to file bills for the collection of debts in certain cases, approved Feb. 24, 1860 ;

Mr. Lindsay, a bill to repeal an act entitled an act to authorize the issuing of writs of attachment out of the courts of chancery ;

Also, a bill to be entitled an act to extend the jurisdiction of Justices of the Peace, in Tuscumbia beat in Franklin county ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Cooper, a bill to give jurisdiction to the probate court of Marengo county over the estate of Benjamin F. Vally, deceased ;

Which was read twice under a suspension of the constitutional rule and ordered to a third reading on to-morrow.

Mr. Garrett moved to reconsider the vote by which the bill for the relief of John Callahan was passed ;

Which was lost.

Mr. Castens asked leave to change his vote from the affirmative to the negative on the bill to create a new county out of

portions of Russell, Tallapoosa, Chambers and Macon counties, to be called the county of Lee;

Which was granted.

Mr. Powell of Tuscaloosa, from the Committee on Internal Improvements, reported favorably to the bill to grant the right of way to the Washington Avenue Rail Road Company, and to increase the capital of said company;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Lindsey, from the Committee on Corporations, reported favorably to the bill to incorporate the Cowbellion DeRakin Society of the city of Mobile;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Also, from the Committee on the Judiciary, favorably to the bill to regulate proceedings in the chancery courts;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Barnes presented sundry accounts;

Which were referred to the Committee on Accounts and Claims.

Mr. Ashley, from the Committee on 16th Sections, reported adversely to the bill for the relief of Abner Cornelius, of Jefferson county.

The report was concurred in.

Mr. Edwards, from the Committee on County Boundaries, reported favorably, with an amendment, to the bill to form a new county, to be called the county of Stonewall.

The amendment was adopted, and on motion by Mr. Norwood, the further consideration of the bill was postponed to Monday 12 o'clock, and made the special order for that hour.

Also, from same committee, reported a bill in answer to a prayer of sundry citizens of Cherokee county, to establish the line between the counties of Cherokee and DeKalb on the Lookout Mountain;

Which was also made a special order for Monday 12 o'clock.

Mr. Jackson of Morgan move to take from the table the House bill—

To enlarge and extend the time of holding the circuit court of the county of Limestone;

Which was carried;

The bill was amended, and read a third time under the suspension of the constitutional rule, and passed.

Mr. Barnes, from the joint committee on the Code, made the following report:

Mr. President, the joint committee on the Code, to whom was referred recommendations of changes in Code and Statute Laws of the State, of the Hon. A. J. Walker, commissioner, &c., have further considered the said subject, and instruct me to report the following four bills, affecting the said changes.

WM. H. BARNES,
Chairman.

To amend section 679 of the Code ;

To amend section 511 of the Penal Code ;

To amend section 174 of the Penal Code ;

To amend an act in relation to elections in certain cases, and to except clerks of circuit courts from the provisions of said act ;

Which bills were severally read twice, under the suspension of the constitutional rule, and made the special order for 12 o'clock to-day.

The hour of 12 o'clock having arrived, the Senate proceeded to the consideration of the special orders made for that hour.

The bills to amend section 144 of the Code ;

To amend section 1242 of the Code ;

To amend an act to increase the duties of overseers on public roads, and to prevent parties from joining fences to public bridges ;

To amend an act therein named, in reference to the bond of the Secretary of State ;

To provide for cessions to the United States, of lands within this State, for certain specified purposes ;

To prescribe an additional oath to the officers of this State, and to repeal section 110 of the Code ;

To amend an act to regulate the office of Attorney General ;

Were severally read three times under the suspension of the constitutional rule, and passed.

On motion of Mr. Powell of Tuscaloosa ;

The further consideration of the bills—

To amend an act to encourage immigration and to encourage immigrant labor ;

To regulate the time of the election of State printer, and the term of his office ;

Were postponed until Monday 12 o'clock, and made the special order for that hour.

The bills—

To fix the pay and mileage of the officers and members of the General Assembly ;

To provide for keeping the Alabama State tract books, and

to furnish registers from the same to the several counties of this State ;

Being on the second reading, were referred to the committee on Finance and Taxation ;

The bill to amend section 78 of the Code, was referred to the Committee on State Printing.

Mr. Deason, from the Committee on Enrolled Bills, reported the following correctly enrolled :

Fixing the time when certain laws shall take effect ;

To establish a new county, to be called the county of Crenshaw.

Message from the House by Mr. Clanton :

Mr. President :

The House has adopted the following resolution :

Resolved, That a joint committee of three, the Senate concurring, be appointed by the House, and three by the Senate, to prepare and report a memorial to the Congress of the United States asking a repeal of the law imposing a tax of three cents per pound on cotton.

Messrs. Bethea, Clark of Mobile, and Humphrey, are the committee ;

And has originated and passed the following bills :

To amend section 73 of an act to establish revenue laws of the State of Alabama, so far as it relates to the county of Covington ;

To repeal an act to regulate proceedings before justices of the peace, in cases of misdemeanor cognizable before them, approved January 20th, 1866 ;

To authorize the court of county commissioners in each county in this State, to make equitable settlements in certain cases ;

To regulate costs in cases where the judgment is reduced to a sum below the jurisdiction of the court, by reason of any of the causes mentioned in section 3, ordinance 26, of the State Convention ;

To grant authority to the probate court to distribute real estate, by sale or division, when such property has been received under the law authorizing executors, administrators, &c., to compromise bad and doubtful claims ;

To amend section 7, of an act to provide for taking the census of the State of Alabama, for the year 1866 ;

For the relief of the minor heirs of W. A. Williams, deceased, of Mobile.

To amend an act to incorporate the town of Richmond, in Dallas county.

To confer additional powers upon special constables.

To repeal section 3931 of the Code of Alabama, and to provide a substitute therefor, regulating the fees of jailors in conveying convicts to the penitentiary.

T. CLANTON, Clerk.

The Senate concurred in the resolution of the House appointing a committee of three on the part of each House to memorialize Congress to repeal the law imposing a tax of three cents per pound on cotton. Messrs. Felder, Cooper and Lindsay were appointed the committee on the part of the Senate.

On motion by Mr. Lindsay—

The Senate adjourned until Monday morning, 10 o'clock!

MONDAY, December 3.

The Senate met pursuant to adjournment.

Mr. President laid before the Senate the following communication from John Ryan, State Superintendant of Education :

OFFICE OF SUPERINTENDENT OF EDUCATION, }
December 1, 1866. }

Hon. H. W. Crenshaw, President of the Senate:

SIR—In obedience to the resolution adopted by the Senate “that the superintendent of education be directed to communicate to the Senate a statement of all payments that have been made during the year from the contingent educational fund, for what purpose, and to whom made,” I have the honor to submit the following statement in reply :

There was paid out of said fund during the time stated, the following amounts, and for the purposes indicated, viz:

| | |
|--|----------|
| To W. C. Allen, as clerk, due up to 20th July, 1865. | \$494 57 |
| “ John Ryan, for postage on reports..... | 75 00 |
| “ Barrett & Brown, for printing blanks..... | 115 00 |
| | <hr/> |
| | \$674 57 |

I am, very respectfully,

JOHN RYAN, Superintendent.

The communication was referred to the Committee on Education.

Upon the call of the districts, the following bills were introduced :

Mr. Gage, a bill to authorize the coroner of Mobile to appoint a deputy coroner.

Mr. Felder, a bill to remove the administration of the estate of Robert B. Armistead, deceased, from the county of Mobile to the county of Montgomery.

Which were severally read three times under a suspension of the constitutional rule and passed.

Mr. Barnes, a bill to declare judgments liens upon the property of defendants ;

Also, a bill to amend section 7 and to repeal sections 2, 3, 4 and 5 of an act to regulate judicial proceedings ;

Mr. Powell of Tuscaloosa, a bill to regulate proceedings in the settlement of estates of deceased persons ;

Mr. Sykes, a bill to amend section 2880 of the Code, relative to fees of registers in chancery ;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The hour of 11 o'clock having arrived, the Senate proceeded to consider the special order set for that hour—

Being sundry bills declaring certain persons free dealers,

The question pending being on concurring in the adverse report of the select committee on special relief.

The further consideration of the bills was postponed until the 16th January next.

Mr. Cooper, from the select committee to which was referred the petition of Mrs. M. A. Barclay, of Talladega, on the subject of establishing homes for the orphans of deceased Confederate soldiers ;

And the bill to make an appropriation to the Orphan's Home of the Synod of Alabama,

Reported a substitute for the bill.

Mr. Felder moved to amend the bill by adding an additional section as section two.

On motion by Mr. Ashley,

The bill and amendment were recommitted to the same committee, with instructions to report a bill providing a general system that will diffuse the benefit of an orphan's home for children of deceased Confederate soldiers as far as practicable throughout the State.

Message from the House, by Mr. Clanton :

Mr. President :

The House has adopted the following resolution :

Resolved, That the manuscript of the Code, as it is reported by the joint committee, be placed on the table in the Consultation Room of the Supreme Court Judges, adjoining the Hall of the House, for the inspection of the members of the General Assembly.

The House of Representatives has originated and passed the following bills, and respectfully ask the concurrence of the Senate in the same :

To incorporate the bar of Dallas county ;

To authorize the corporate authorities of Marion to enforce the collection of taxes for the legitimate purposes of the corporation ;

To incorporate the Merchants' Insurance and Exchange Company at Selma ;

To incorporate the Sipsey River Manufacturing Company ;

To incorporate the National Hotel Company at Selma ;

To incorporate the Insurance Company of South Alabama ;

To incorporate the Phoenix Insurance Company of Mobile ;

To amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior River, opposite the town of Tuscaloosa, approved January 2, 1833 ;

To authorize the probate court of Autauga county to grant letters of administration upon the estate of John N. Cotten, deceased, to Duncan McKerthen ;

The House has amended, as therein shown, and passed the Senate bill to create a new county out of portions of Macon, Montgomery, Pike and Barbour counties, to be called the county of Bullock.

T. CLANTON, Clerk.

Message from his Excellency the Governor, by his private secretary, Mr. B. H. Screws.

EXECUTIVE DEPARTMENT, }
December 3, 1866. }

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

An act fixing the time when certain laws shall take effect ;

An act to establish a new county to be called the county of Crenshaw.

On motion by Mr. Moren, leave of absence was granted to Mr. Huckabee until Friday next.

The Senate concurred in the House amendment to the Senate bill to create a new county out of portions of Macon, Montgomery, Pike and Barbour counties, to be called the county of Bullock.

The House bill to amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, approved January 2d, 1833;

Was read the first time and ordered to a second reading.

The house bill in relation to the burnt, lost, or otherwise destroyed records and papers of the circuit, chancery, probate, and commissioners courts of Limestone county;

Was read three times under a suspension of the constitutional rule and passed.

The Senate proceeded to consider the special order set for this day, being the bill to form a new county to be called the county of Stonewall;

Being on its second reading.

Mr. Garrett moved to amend the bill by striking out Stonewall wherever it occurs and inserting the name of "Baine."

The amendment was adopted;

The bill was read a third time under a suspension of the constitutional rule, and passed.

Yeas 24, nays none.

Yeas—Messrs. President, Ashley, Bell, Boykin, Cooper, Edwards, Felder, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Woodliff—24.

The next special order being the bill to establish the line between the counties of Cherokee and DeKalb, on the Look-out mountain;

Was read a third time under the suspension of the constitutional rule, and passed;

Yeas 20, nays none.

Messrs. President, Ashley, Bell, Boykin, Deason, Edwards, Felder, Forney, Foster, Garrett, Huckabee, Jackson of Morgan, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, and Woodliff—20.

On motion by Mr. Montgomery,

The Senate then adjourned until to-morrow morning 10 o'clock.

TUESDAY, December 4.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Tichenor.

Upon the call of the districts, the following bills were introduced :

Mr. Mitchell, a bill to amend an act to establish the city court of Eufaula ;

Mr. Powell, of Macon, a bill to authorize Chas. M. Wiley and Ann G. Wiley, citizens of Georgia, to qualify as executors of the last will and testament of John B. Wiley, deceased ;

Mr. Foster, a bill (accompanied with a petition) for the relief of C. J. McMahon ;

Mr. Moren, a bill to divide Marengo county into four commissioners districts ;

Mr. Barnes, a bill to authorize the probate courts to issue process of garnishment on money decrees in their courts ;

All of which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Foster, a bill for the relief of Thos. G. Tartt, of Sumpter county ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Propositions and Grievances.

Also, a bill to authorize the town council of Livingston to levy a tax, for the purpose of aiding in the building of the N. E. and S. W. Rail Road ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

Mr. Garrett, a bill to establish a school for blind persons ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on the Deaf and Dumb Asylum.

Mr. Sykes, a bill for the relief of the heirs of Thos. Lyle, deceased ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Drake, a bill to regulate the time of holding the circuit court in the fifth judicial circuit ;

Which was read twice, under a suspension of the constitutional rule, and referred to a Select Committee, composed of the Senators from the fifth judicial circuit.

Mr. Powell, from the Committee on Enrolled Bills, reported the following bills correctly enrolled :

For the relief of Ellen Smith and Susan Butler ;

To authorize the commissioners' court of Pickens county to levy a special tax ;

To amend section 74 of the Code.

Message from the House by Mr. Clanton :

Mr. President :

The House originated and passed the following bills :

To provide for the distribution of supplies to the destitute, and to provide for the punishment of officers and others, for their misapplication ;

To incorporate the Briarfield Iron Works Company of the county of Bibb ;

To relieve the destitute of this State for the year 1867 ;

To incorporate the Noxubee Bridge Company ;

To incorporate the State Insurance Company of Mobile ;

To form a new county to be called the county of Cleburne, from portions of Calhoun, Randolph and Talladega counties.

Mr. President :

The House has originated and passed the following bills :

To authorize the commissioners court of Pickens county to levy a special tax ;

For the relief of Elly Smith and Susan Butler, of Clark county ;

To amend section 74 of the Code ;

For the protection of Robert McIlvain, as the administrator with the will annexed, of Charles H. Sanford, deceased ;

To authorize the administrators of David Ward, deceased, to sell the real estate of said decedent at private sale ;

For the relief of Reuben L. Sullivan of Coosa county ;

To authorize Benj. B. and Theophilus L. Fontaine, citizens of the State of Georgia, to qualify as executors on the estate of John Fontaine ;

To authorize J. B. Earle, executor of Thos. J. Wright, deceased, to sell the cotton belonging to the estate of said Thos. J. Wright at private sale ;

To give the probate court of Wilcox county jurisdiction over the estate of William D. King, deceased, late of Monroe county ;

To authorize Edgar G. Dawson, a citizen of the State of Georgia, to execute the will of Mrs. Eliza Terrell, in accordance with the request contained in said will ;

The House has amended, as therein shown, the Senate bill

for the relief of Allen H. Johnson and James G. Barnes, of Tuscaloosa county.

T. CLANTON, Clerk.

The House bills—

To incorporate the National Hotel Company of Selma ;

To incorporate the Insurance Company of South Alabama ;

To incorporate the bar of Dallas county ;

To incorporate the Merchants' Insurance and Exchange company of Selma ;

To incorporate the Sipsey River Manufacturing company ;

To incorporate the Phoenix Insurance Company of Mobile ;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bills—

To authorize the court of county commissioners of each county in this State, to make equitable settlements in certain cases ;

To repeal an act to regulate judicial proceedings ;

To authorize the corporate authorities of Marion to enforce the collection of taxes for the legitimate purposes of the corporation ;

To grant authority to the probate court to distribute real estate by sale or division, when such property has been received under the law, authorizing executors, administrators, etc., to compromise bad and doubtful claims ;

For the relief of the minor heirs of W. A. Williams, deceased, of Mobile ;

To confer additional powers on constables ;

To amend the charter of the Protestant Orphan Asylum, in Mobile :

To amend section 160 of the Penal Code ;

To regulate the statute of limitations in certain cases ;

To compensate Sheriffs in certain cases of attachment ;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary committee.

The House bill—

To amend section 7 of an act, entitled an act to provide for taking the census of the State of Alabama, for the year 1866 ;

Was read twice under a suspension of the constitutional rule ;

Mr. Cooper offered the following amendment ;

That nothing in this act contained, shall release the census

taker from any penalty incurred by them for failing to perform any of the duties prescribed by law ;

Which, on motion of Mr. Lindsay, was laid on the table ;

The bill was then read a third time under a suspension of the constitutional rule, and passed.

The House bill—

To repeal section 3931 of the Code, and to provide a substitute therefor, regulating the fees of jailors, in conveying convicts to the penitentiary ;

Was read twice under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The House bills—

To amend section 73 of an act, to establish revenue laws of the State, so far as it relates to the county of Covington ;

To authorize the probate court of Autauga county to grant letters of administration upon the estate of John A. Cotten, deceased, to Duncan McKeithen ;

To regulate costs in cases where the judgment is reduced to a sum below the jurisdiction of the court, by reason of any of the causes mentioned in section 6 of ordinance 26 of the State convention ;

To amend an act to incorporate the town of Richmond, in Dallas county ;

To repeal an act to authorize justices of the peace to take cognizance of and try cases of misdemeanor, approved January 20, 1866 ;

Were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Powell of Tuscaloosa, from the Committee on Internal Improvements, reported favorably to the memorial to Congress, for a grant of land to the Savannah and Memphis Railroad company ;

The memorial was read a third time, under a suspension of the constitutional rule, and adopted.

Mr. Kilpatrick, from the Judiciary Committee, reported favorably to the House bill for the relief of executors, administrators and guardians ;

Mr. Felder, from same committee, reported favorably to the House bill prescribing the manner in which executors, administrators and guardians shall execute their official bond, in Greene county ;

Mr. Forney, also favorably to the House bill to change the time of holding the chancery court, in the 12th and 9th districts of the southern division ;

Mr. Powell of Tuscaloosa, also favorably to the House bill

to repeal an act more effectually to prevent the offenses of grand larceny, arson and burglary, approved December 15, 1865.

Mr. Jones, also favorably to the bill to extend the powers of the city council of Montgomery, so as to authorize the issuing of notes, to the amount of \$100,000, to aid the Montgomery and Eufaula Railroad company ;

Mr. Jones, from the Committee on Corporations, reported favorably to the bill to incorporate the town of Gadsden, in Cherokee county ;

Mr. Forney, from same committee, also favorably to the bill to incorporate the Mobile Harbor and Railroad company ;

All of which were severally read a third time, under a suspension of the constitutional rule, and passed.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably, with amendments, to the bill to fix the pay and mileage of the officers and members of the General Assembly ;

The consideration of the bill and amendments was postponed until the 14th day of January next.

Mr. Jackson of Morgan, from the Committee on Roads, Bridges and Ferries, reported favorably to the House bill to increase the rate of toll at the Cahaba bridge ;

The bill was read a third time under the suspension of the constitutional rule and passed.

Mr. Winston, from the Judiciary Committee, reported favorably to the House bill for the relief of Rufus Forrester, of Randolph county.

The bill was ordered to a third reading.

Mr. Kilpatrick, from the Select Committee on Special Relief, asked to be discharged from the further consideration of the bill to exempt from levy and sale certain property therein named, and recommended that the same be referred to the Joint Committee of the two Houses on General Relief.

The report was concurred in.

Mr. Powell of Macon, from the committee to which was referred so much of the Governor's message as related to the Paris Exposition, reported a bill to provide for the representation of Alabama at the Paris Universal Exposition ;

Which was read twice under a suspension of the constitutional rule.

On motion by Mr. Forney the bill was laid on the table.

Yeas 19, nays 9.

YEAS—Messrs. President, Barnes, Boykin, Castens, Cooper, Drake, Edwards, Felder, Forney, Jackson of Lauderdale, Jack-

son of Morgan, Jones, Mitchell, Montgomery, Powell of Tuscaloosa, Slaughter, Stansel, Winston, and Wood—19.

NAYS—Messrs. Ashley, Bell, Foster, Gage, Garrett, Kilpatrick, Moren, Powell of Macon, and Sykes—9.

Mr. Ashley, from the Committee on Finance and Taxation, reported favorably, with an amendment, to the House bill to authorize the Secretary of State to furnish to probate judges of Morgan and Lawrence counties certain books destroyed during the war.

The amendment was adopted, and the bill read a third time under the suspension of the constitutional rule, and passed.

The bill was amended so as to conform to the body of the bill.

Mr. Lindsay, from the Committee on Federal Relations, to which was referred the Joint Resolutions on the Rights of the people of the several States, reported that the resolutions being entirely argumentative in their character, they enunciate many political truisms and abstract principles of government which have always been recognized as fundamental in the theory of our republican system, and to which your committee willingly and unanimously yield their assent. Yet your committee cannot admit, but rather boldly deny, that the conclusions the resolutions aim to establish, are in the remotest point of view either a fair, practical or logical deduction from the recognition of any or all abstract principles.

The manner of proposing amendments to the constitution of the United States, and the mode of their submission for the action of the several States, are involved in neither doubt nor uncertainty. Article 5 of that instrument is framed in language of easy interpretation, and reads as follows: "The Congress, whenever both Houses shall deem it necessary, shall propose amendments to the Constitution, or on application of two-thirds of the several States shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of the constitution, when ratified by the Legislatures of three-fourths of the several States, or by convention of three-fourths thereof, as the one or other mode of ratification may be proposed by Congress."

By the foregoing provision of the Constitution itself, it will be observed that Congress is authorized to adopt either of two modes, by which amendments shall be submitted for the consideration and action of the respective States. With regard to the amendment recently communicated by his Excellency, the Governor of this State, to the two Houses of the present General Assembly, Congress has made its election and submitted

it in the first mode prescribed, clearly and unmistakably indicating that a submission thereof to a direct vote of the people, was neither expected nor contemplated, for it reasonably occurs to your committee, if such had been the design with, or purpose of Congress, the latter mode or that by convention would have been chosen and proposed. Your committee are therefore of opinion that apart from motives of propriety as well as courtesy towards the Government of the United States, it is a plain and palpable duty which this legislature owes to itself, and the requirements of the Federal constitution, that it shall promptly consider and act upon the proposed amendment as wisdom and patriotism may direct.

The expediency, if not the necessity of such action, commends itself to your committee the more impressively from a belief that a submission of the subject to a popular vote is neither expected nor desired by the people of Alabama, and also from the fact that the adoption of such a course would be at once impracticable, and wholly fruitless of definite results. To the Legislature at least would revert the business of ratifying or rejecting the proposed amendment. Congress has resolved thus, and the Legislature can neither delegate its duty nor transfer the exercise of its functions in this regard to any other power.

To ignore the subject altogether, to leave a subject of so solemn a nature, and so vitally important to the commonwealth, to shift directly or indirectly the grave responsibility which attaches to it to another and future legislature, would be, in the estimation of your committee, a dereliction of duty without a palliating circumstance discourteous towards the authority which has sent it here, and unwelcome to the people of the State, who are in no heart at this juncture to become embroiled in any political strife.

For these, among other reasons, your committee respectfully report adversely to the above resolutions.

On motion by Mr. Barnes, the report and resolutions were laid on the table.

Yeas 21; nays 9.

YEAS—Messrs. President, Ashley, Barnes, Boykin, Castens, Cooper, Edwards, Forney, Gage, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Slaughter, Stansel, Winston, Wood, Woodliff—21.

NAYS—Messrs. Bell, Drake, Felder, Foster, Garrett, Moren, Powell of Macon, Powell of Tuscaloosa, Sykes—9.

The undersigned, who voted against the motion to lay on the table the "joint resolutions on the rights of the people of

the several States," and the report of the Committee on Federal Relations thereon, ask leave to spread upon the Journal their reasons for so voting.

The resolutions were offered and referred when the committee made the report. A motion was made to lay the whole subject on the table. The Senator who offered these resolutions requested that this motion be withdrawn, to allow him to address the Senate. This was refused.

The undersigned, believing that courtesy required that the Senator offering the resolutions should be allowed to address the Senate in defence of his resolutions, voted against the motion alone, for the purpose of giving the Senator an opportunity to be heard, with the intention of voting in favor of the report of the committee on the final vote.

E. A. POWELL,
R. H. POWELL,
E. H. MOREN.

Mr. Jones, from the Committee on Corporations, reported adversely to the bill,

To incorporate the Union Springs Manufacturing and Savings Association.

The report was concurred in.

Mr. Barnes, from the Joint Committee on the Code, reported the committee had diligently examined and considered the compilation of the commissioner, A. J. Walker, that they find the work faithfully and accurately done, and in a good style, and in a manner intelligent and easy to comprehend. That through a close and critical examination they have detected no error of any importance ; that their examination has been most satisfactory, and the work meets their hearty approval.

The committee therefore recommend its adoption by the General Assembly, and in pursuance of such recommendation, report the accompanying bill for that purpose.

There being but one manuscript copy of the Code, the committee cannot deliver a copy to the Senate, as the copy has been returned to the House of Representatives.

The committee recommend that the consideration of this report to be postponed until action in the House of Representatives.

Concurred in.

The bill reported by Mr. Barnes,

To provide for the adoption, printing and distribution of the Revised Code of Alabama,

Was read twice, under a suspension of the constitutional rule, and its further consideration postponed and made the special order for to-morrow, 11 o'clock.

The following bills reported by the same committee:

To permit the commissioner to revise the Code to employ assistance during the recess ;

To provide compensation for the assistance to the Commissioner to revise the Code ;

To fix the compensation of the commissioner to revise the Code of Alabama ;

Were severally read twice, under a suspension of the constitutional rule, postponed and made the special order for to-morrow, 11 o'clock.

Mr. Ashley offered a resolution instructing the Judiciary Committee to enquire whether certain acts had been repealed by the adoption of the Penal Code ;

On motion by Mr. Barnes,

The resolution was laid on the table.

Mr. Powell of Tuscaloosa, from the Committee on Internal Improvements, reported favorably to the House bill to re-charter a turnpike or raised way, in Lawrence county ;

The bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Foster, from the Committee on the Insane Hospital, reported favorably to the House bill in relation to Insane Hospital ;

Pending the consideration of which,

On motion by Mr. Lindsay,

The Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, December 5th.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor.

Upon the call of the Districts the following bills were introduced :

Mr. Gage, a bill to amend the charter of the Stonewall Insurance Company ;

Mr. Cooper, a bill to authorize H. J. Askew, of Marengo county, as administrator of Dr. W. Woolf, to sell or rent certain lands privately ;

Mr. Felder, a bill to allow W. S. Thorington to obtain license to practice law in all the courts of this State, if deemed qualified ;

Mr. Moren, a bill for the relief of Wm. J. Bass, guardian of Henrietta Bishop, of Bibb county ;

Mr. Garrett, a bill to establish a place of voting in Pine Flat Beat, in Elmore county ;

Which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Felder presented the petition of Hannah Murphy, of the city of Montgomery, to keep a store free of license ;

Which was referred to the Committee on Propositions and Grievances.

Mr. Cooper, a bill to amend "an act to authorize the issuing of executions of certain judgments," approved December 15, 1865 ;

Which was read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Powell of Tuscaloosa, a bill to repeal all laws requiring a license for toll bridges and ferries ;

Mr. Moren, a bill for the relief of V. Gayle Snedecor, Tax Assessor for Greene county ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Powell of Macon, a bill to incorporate the Union Springs Savings Association ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Message from the Governor by his Private Secretary, Mr. Screws :

Mr. President:

His Excellency the Governor, has approved the following bills, which originated in the Senate :

To amend section 74 of the Code ;

To authorize the commissioners court of Pickens county to levy a special tax ;

For the relief of Elly Smith and Susan Butler, of Clarke county.

The Senate proceeded to consider the report of the Committee pending yesterday at adjournment on the House bill in relation to the Insane Hospital.

The bill was recommitted to the Committee on Finance and Taxation.

The House bill to form a new county to be called the county of Cleburne, out of portions of Calhoun, Randolph and Talladega counties ;

Was read three times under the suspension of the constitutional rule and passed.

Yes, 27 ; nays, none.

YEAS—Messrs. President, Ashley, Bell, Boykin, Castens, Deason, Drake, Felder, Forney, Foster, Gage, Garrett, Jackson of Morgan, Jones, Kilpatrick, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, Wood and Woodliff—27.

The House bills—

To incorporate the Noxubee Bridge Company ;

To incorporate the Briarfield Iron Works Company of Bibb county ;

To incorporate the State Insurance Company of Mobile ;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bills—

To provide for the distribution of supplies for the destitute, and to provide for the punishment of officers for their misapplication ;

To relieve the destitute of the State for the year 1867 ;

Were severally read twice under the suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The bill for the relief of Allen H. Johnson and James G. Barnes, of Tuscaloosa county, as amended by the House, was referred to the Committee on Propositions and Grievances.

Mr. Kilpatrick, from the Judiciary Committee, reported favorably to the House bill for the relief of Phillip F. Avery, of Chambers county.

Mr. Sykes, from the Committee on Banks and Banking, reported favorably the bill to authorize John Whiting, Commissioner and Trustee, to make a deed to Isaac E. Young.

Mr. Kilpatrick, from the Judiciary Committee, reported favorably to the House bill to regulate the courts of the Middle Chancery Division.

Mr. Drake, from the select committee, reported favorably to the bill to regulate the times of holding the circuit courts of the fifth judicial circuit ;

Mr. Lindsay, from the Judiciary Committee, reported favorably to the bill for the relief of the heirs of Thos. Lyle, deceased ;

Mr. Powell of Tuscaloosa, from the Committee on Internal Improvements, reported favorably to the bill to incorporate the Vicksburg and Brunswick Railroad company ;

Mr. Jackson of Morgan, from the Committee on Corpora-

tions, reported favorably to the bill to incorporate the Mutual Insurance company of Selma;

Mr. Forney, from the Judiciary Committee, reported favorably to the bill to declare judgments liens upon the property of defendants;

Mr. Lindsay, from the Committee on Corporations, reported favorably to the House bill to incorporate the National Hotel company of Selma;

All of which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Cooper, from the select committee, to which was recommended the bill to aid the Orphans' Home, of the Synod of Alabama, with instructions to inquire whether a general system for the relief of orphans cannot be inaugurated, reported,

That the orphans in Alabama are estimated to number at least thirty thousand; supposing one third to be in absolute need of aid, it would take annually, at one hundred dollars each, one million of dollars; a sum entirely above the ability of the State to provide for. If the State had the ability, it is doubtful whether the work would not be more effectually performed by individuals, corporations, or societies. Any system adopted by the State would require a large number of salaried officers, and would involve a certain amount of waste and extravagance. Leaving the State out, then the work of providing and caring for these orphans must be based upon the action of individuals, corporations, or societies, and your committee can devise no plan by which the action of individuals, corporations, or societies can be controlled or reduced to a system. To offer a bonus to secure systematic action, would only encourage speculation, and end in failure. Men must be actuated by pure and benevolent motives, to undertake the care of orphans; they must be influenced by a desire to do good, to relieve the distressed, and to pay a debt of gratitude owing to these orphans and their fathers; not a desire to make money out of them or the State. So you cannot prepare a bill as instructed.

The only way, as it seems to your committee, will be for private individuals, corporations or societies to take this matter in charge, and when they have shown by their acts, that they are in earnest and have progressed in this work to a certain extent, then the State may come in and aid;

All of which is respectfully submitted.

The consideration of the report and bill was postponed until the 16th January next.

Mr. Sykes from the Committee on Banks and Banking re-

ported favorably, with an amendment, to the bill for the relief of the Bank of Mobile, by releasing the bonus now due and unpaid ;

The amendment was adopted ;

And the bill read a third time under the suspension of the constitutional rule, and passed.

Yeas 2, nays 3.

YEAS—Messrs. President, Ashley, Barnes, Bell, Castens, Cooper, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Moren, Powell of Macon, Slaughter, Stansell, Sykes, Wood, and Woodliff—28.

NAYS—Messrs. Deason, Montgomery, and Powell of Tuscaloosa ;

Mr. Stansel, from the Committee on Education, to which was referred a resolution on the subject, reported a bill in relation to the office of Superintendent of Education for the State of Alabama ;

Which was read twice under a suspension of the constitutional rule.

Mr. Lindsay moved to postpone the further consideration of the bill until the 15th day January next ;

Which was lost.

Mr. Stansel moved to suspend the constitutional rule, to give the bill a third reading ;

Which was put and lost ;

Yeas 21, nays 7 ;

Four-fifths voting for it ;

YEAS—Messrs. President, Barnes, Bell, Boykin, Cooper, Drake, Felder, Forney, Foster, Gage, Garrett, Jackson of Lauderdale, Mitchell, Montgomery, Powell of Macon, Slaughter, Stansel, Sykes, Winston, Wood, and Woodliff—21.

NAYS—Messrs. Ashley, Deason, Edwards, Jones, Lindsay, and Powell of Tuscaloosa—7.

The bill was ordered to a third reading on to-morrow.

Mr. Lindsay, from same committee, also reported a bill in relation to the office of county superintendent of education in the several counties of this State ;

Which was read twice under a suspension of the constitutional rule.

Mr. Lindsay moved to amend by proviso as follows :

Provided, That the provisions of this act shall not apply to the counties of Franklin, Morgan and Limestone ;

Which was adopted, and the bill read a third time, and passed.

Mr. Garrett offered the following resolution :

Resolved, That a committee of one from each judicial circuit be appointed, to which shall be referred the apportionment of Senators and Representatives according to the census of 1866.

On motion of Mr. Cooper, the consideration of the resolution was deferred till the 16th January next.

Mr. Cooper, from the Committee on Finance and Taxation, reported a substitute for the bill for the relief of George E. Brewer, Adjutant and Inspector General of Alabama, with the following title :

To repeal section 304 of an act to complete the collection of records of Alabama soldiers in the late war, approved February 21, 1866.

The substitute was adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

The title was substituted as reported by the committee.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported adversely to the House bill to regulate judicial proceedings.

The report was concurred in.

Mr. Jones, from same committee, reported adversely to the House bill to amend section 2144 of the Code.

The report was concurred in.

Mr. Powell, of Tuscaloosa, from the Judiciary Committee, reported favorably to the House bill to amend an act to establish a criminal court for the county of Montgomery, with civil jurisdiction.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Barnes, from same committee, reported favorably to the bill to amend section 7, and to repeal sections 2, 3, 4 and 5 of an act to regulate judicial proceedings.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Powell of Macon, asked leave of absence for Mr. Boykin ;

Which was granted.

The Senate proceeded to consider the

GENERAL ORDERS.

The House bill to authorize Mary Ann Taylor to rent or lease the estate of Jesse P. Taylor, deceased, by private contract ;

Was read a third time and passed.

Message from the Governor by his Private Secretary, Mr. Benjamin H. Screws :

Mr. President :

The Governor has approved bills of the following titles, that originated in the Senate :

To amend section 74 of the Code ;

To authorize the commissioners court of Pickens county, to levy a special tax ;

For the relief of Elly Smith and Susan Butler, of Clarke county.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills ;

To incorporate the Budahatchie Water Power Manufacturing Company ;

To consolidate the offices of Adjutant and Inspector General and Quartermaster General ;

To form a new county to be called the county of Clay, from portions of Talladega and Randolph counties ;

To provide for the adoption, printing and distribution of the Revised Code of Alabama.

The House has passed the following Senate bills :

To authorize courts of probate to issue process of garnishment on money decrees in their courts ;

To amend the charter of the Mobile Trade Company ;

To regulate the compensation of members of the commissioners court of Clarke county ;

To regulate the fees of the judge of probate of Clarke county ;

To authorize the Secretary of State to issue a patent to George Brown of Marion county, for certain lands therein described ;

To authorize the estate of Samuel Pickens to be kept together by the administrator ;

To authorize the N. W. Railroad Company to transfer the property, rights and privileges of said company to the Cahaba, Marion and Greensboro railroad company ;

To repeal section 8, 9 and 10, and to amend section 11 of an act to establish the Canebrake Agricultural District ;

To authorize the Cahaba, Marion, and Greensboro railroad company to increase their capital stock, and extend their road ;

To amend an act relating to county surveyors and treasurers

in the counties of Marshall, Marengo, Russell, Covington, Conecuh, and Walker ;

To incorporate the Chickasabogue Manufacturing company ;

To incorporate the Chactaw County Manufacturing company ;

To incorporate the Occocoposa Manufacturing company ;

To amend an act entitled an act to incorporate the Planters' and Merchant's Mutual Insurance Company of Mobile ;

To amend an act entitled an act to amend section 1860 of the Code, approved January 27, 1858.

An act to prescribe forms of letters of administration ;

To amend section 247 of the Code ;

To require the Secretary of State to deliver copies of the acts and journals of the General Assembly to the State Printer within the time prescribed by law.

To destroy the cancelled bills or notes of the bank of Selma now or hereafter received in the office of the Comptroller of Public Accounts ;

For the relief of W. C. Thomas, of Chambers county ;

To authorize the commissioners court of Chambers county to borrow money, and to provide for repaying the same ;

To incorporate the Tuscumbia Savings Association.

The House refuses to concur in the Senate resolution proposing to raise a joint committee of the two Houses, to be composed of one from each congressional district, and two from the State at large, to apportion Senators and Representatives among the several counties of the State.

T. CLANLON, Clerk.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To authorize the Secretary of State to issue a patent to George Brown, of Marion county, for certain lands ;

To amend an act relating to county surveyors and treasurers of Marshall, Marion, Russell, Covington, Conecuh and Walker.

To repeal certain sections of an act to establish the Canebake Agricultural District ;

To amend an act to incorporate the Planters' and Merchants' Mutual Insurance Company of Mobile ;

To authorize the Cahaba, Marion and Greensboro Railroad Company to increase their capital stock and extend their road ;

To regulate the compensation of the commissioners court of Clarke county ;

To authorize J. B. Earle, executor of Thomas J. Wright, deceased, to sell the cotton of his estate at private sale ;

To amend an act to amend section 1860 of the Code, approved, January 27, 1858 ;

To authorize Edgar G. Dawson, a citizen of the State of Georgia, to execute the will of Mrs. Eliza Terrell, in accordance with the request contained in said will ;

To give the probate court of Wilcox county jurisdiction over the estate of William D. King, deceased, late of Monroe county ;

For the relief of Reuben L. Sullivan, of Coosa county ;

To authorize Benj. B. and Theophilus L. Fontaine, citizens of the State of Georgia, to qualify as executors on the estate of John Fontaine ;

To regulate the fees of the judge of probate of Clarke county ;

To authorize the estate of Samuel Pickens to be kept together by administratrix ;

For the protection of Robert McIlvain, as the administrator with the will annexed, of Charles H. Sanford, deceased ;

To authorize the administrators of the estate of David Ward, deceased, to sell the real estate of said decedent at private sale ;

To form a new county out of portions of Macon, Montgomery, Pike and Barbour, to be called the county of Bullock.

The bill to refund to the United States, or to such person as shall pay to the United States, the public moneys appropriated by the State of Alabama from the land office at Greenville, Alabama ;

Was read a third time, the question being on the passage of the bill.

On motion by Mr. Lindsay, the Senate adjourned until tomorrow morning 10 o'clock.

THURSDAY, December 6.

The Senate met pursuant to adjournment.

Upon the call of the Districts, the following bills were introduced :

Mr. Gage, a bill to amend an act, approved February 23d, 1866, entitled an act to incorporate the Bienville Water Works Company ;

Mr. Felder, a bill to fix the time of holding the circuit court in Montgomery county ;

Also, a bill to authorize William H. Northington, as admin-

inistrator of the estate of Lanceford Long, deceased, to rent the lands belonging to said estate privately ;

Mr. Lindsay, a bill to authorize the Governor to settle with William O. Winston, of DeKalb county ;

Also, a bill to ratify the action of the mayor and aldermen of Tuscumbia in laying off and selling lots in said city ;

Mr. Jackson, of Lauderdale, a bill to amend section 73 of an act to establish revenue laws of the State of Alabama, as far as it relates to the county of Lauderdale ;

Also, a bill to amend an act entitled an act to amend an act entitled an act to authorize the commissioners court of Lauderdale county to issue treasury notes, to pay for building bridges, repairing court house, and other purposes, approved December 14, 1865 ;

Mr. Woodliff, a bill to fix the time of holding the annual elections of the president and board of directors of the Tennessee and Coosa Railroad company ;

Mr. Winston, a bill to authorize John Jorden, guardian of Wm. H. Jorden, of Marshal county, to invest the funds of his ward in real and personal property ;

Mr. Felder, a bill to authorize the city of Montgomery to aid in building and equipping the South and North Alabama Railroad, from Montgomery to Limekiln ;

All of which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. President, (Mr. Moren in the chair,) a bill to authorize railroad companies to make contracts with express companies, for the use of passenger trains for express freight ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

Mr. Garrett, a bill to legalize a division and settlement of the estate of Abner Nolen, deceased, late of Coosa county ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Juniciary Committee.

On motion by Mr. Edwards,

The vote passing the bill for the relief of Geo. E. Brewer, adjutant and inspector general, was reconsidered.

Also, the vote ordering to a third reading, and the vote adopting the substitute reported by the committee.

The further consideration of the bill and substitute was postponed until the 16th January next.

On motion by Mr. Stansel,

The bill to provide for the representation of the State of Alabama, at the Paris Exposition,

Was taken from the table.

Mr. Powell of Macon moved to amend the bill by striking out \$2,500, and inserting \$1,000, which carried.

Mr. Forney moved to amend by proviso, as follows :

Provided, That no money shall be paid out under the provisions of this act except for the collection and transportation of specimens to said Exposition,

Which was adopted, and the bill, as amended,

Was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Winston, from the Committee on Propositions and Grievances, reported in favor of concurring in the amendments of the House, to the bill—

For the relief of Allen H. Johnson and James G. Barnes, of Tuscaloosa county ;

The Senate concurred in the report of the committee.

Mr. Foster, from the select committee to which was assigned the duty of selecting artificial limbs for maimed soldiers, reported a bill—

To furnish maimed soldiers with artificial legs ;

Which was read twice under a suspension of the constitutional rule, and referred to the same select committee.

Mr. Winston, from the committee on Propositions and Grievances, reported favorably to the bills,

For the relief of P. Cayho, of Washington county ;

For the relief of Thos. C. Tartt, of Sumter county ;

Mr. Deason, from the committee on Corporations, reported favorably to the House bill—

To incorporate the Sipsey River Manufacturing Company ;

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably to the House bill—

In relation to the Alabama Insane Hospital ;

Mr. Jones, from the Committee on Corporations, reported favorably to the House bills—

To incorporate the Phoenix Insurance Company of Mobile ;

To incorporate the Insurance Company of South Alabama ;

To incorporate the Bar of Dallas county ;

To incorporate the Merchants' Insurance and Exchange Company, of Selma ;

To allow the officers of Barbour county to charge and receive fifty per cent. on the fees now allowed by law in the Code ;

Mr. Stansel, from the Judiciary Committee, reported favorably to the House bill to regulate the disposition of moneys arising from sales of property in attachment suits ;

Mr. Felder, from same committee, reported favorably to the

House bill relating to the guardianship of Anson R. Brackett, and the transfer of his estate ;

Mr. Lindsay, from the Committee on Corporations, reported favorably to the bill to incorporate the Union Springs Savings Association ;

Mr. Moren, from the Committee on Finance and Taxation, reported favorably to the bill to repeal an act entitled an act to authorize the payment of turnkey fees of jailors in this State, approved January 18, 1866 ;

All of which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Winston, from the Judiciary Committee, reported adversely to the House bill respecting and regulating suits to enjoin or restrain proceedings or judgments at law, as the objects of the bill were already provided for by law.

Mr. Lindsay, from same committee, reported adversely to the House bill to regulate proceedings in courts of chancery in reference to the estates of decedents.

The report was concurred in.

Mr. Lindsay asked leave to spread upon the journal the following protest to the passage of the bill in relation to the Alabama Hospital :

Although the objects of this bill commend themselves to the feelings and sympathies of humanity, I have been compelled to oppose its passage because of the appropriation of the poll tax to carry out the provisions.

ROBERT B. LINDSAY.

Mr. Barnes, from the Judiciary Committee, reported a substitute for the House bill to amend section 713 of the Penal Code, so as to authorize probate judges to admit to bail on writs of habeas corpus, in cases of felony before conviction.

The substitute was adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably to the House bill to relieve the destitute of this State for the year 1867.

The bill was read a third time under the suspension of the constitutional rule and passed.

Yeas 25, nays 1.

YEAS—Messrs. President, Ashley, Barnes, Bell, Castens, Cooper, Deason, Edwards, Felder, Foster, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, and Woodliff—25.

NAYS—Mr. Forney.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills:

To authorize the judge of probate of Morgan county to order the private or public sale of certain lands therein named ;

To provide compensation for the assistant to the commissioner to revise the Code ;

To permit the commissioner to revise the Code to employ assistance during the recess ;

To provide for paying the expenses of a committee to visit and inspect the penitentiary ;

To fix the compensation of the commissioner to revise the Code of Alabama ;

To authorize the lessees of the penitentiary to employ convicts outside of the walls.

The House has passed the following Senate bills :

To prevent the abatement of prosecutions by the repeal, revision, amendment, or alteration of laws ;

To remove the administration of the estate of Robert B. Armistead, deceased, from the county of Mobile to the county of Montgomery ;

To establish a place of voting in Pine Flat precinct, in the county of Elmore ;

To amend section 2632 of the Code of Alabama ;

To amend section 248 of the Code ;

To repeal section 979 of the Code ;

To prescribe a form for letters testamentary ;

To amend section 487 of the Penal Code ;

To explain and construe 11th sub-division of section 3, of chapter 1, of an act entitled an act to establish revenue laws of the State of Alabama, approved February 22, 1866 ;

To aid in the preservation of human life on railroad trains ;

To repeal certain sections of an act "to amend the laws in relation to elections in certain cases, approved Dec. 8, 1862 ;

To repeal section 2 of an act therein named, and to prevent the conversion of money by certain officers ;

To make it the duty of the court to impose the punishment in all offences punishable by hard labor ;

To repeal section 1097 of the Code ;

To regulate the mode of releasing persons held to bail in this State, where the grounds of bail are denied, and where schedules are filed ;

To incorporate "The Cowbellion DeRakin Society," of the city of Mobile ;

To enlarge the jurisdiction of justices of the peace in cases of injury to stock by railroads, and other purposes ;

To authorize judges of probate in the counties of Perry, Greene, and Pickens, to hire persons confined as convicts in the jail of their respective counties, and sentenced to hard labor, to work on the Cahaba, Marion and Greensboro railroad ;

To amend an act to regulate the office of Attorney General ;

To prescribe an additional oath to the officers of this State, and

To repeal section 110 of the Code ;

To extend the power of the City Council of Montgomery, so as to authorize the issuance of notes amounting to \$100,000, to aid the Montgomery and Eufaula railroad company ;

To increase the duties of overseers on public roads, and to prevent parties from joining fences to public bridges ;

To amend section 144 of the Code ;

To amend section 1242 of the Code of Alabama ;

To amend an act therein named, in reference to the bond of the Secretary of State ;

To provide for cessions to the United States of lands within this State, for certain specified purposes ;

To authorize the coroner of Mobile county to appoint a deputy coroner ;

To form a new county, to be called the county of Baine, from counties therein named ;

The House refuses to pass the Senate bill—

To repeal an act to provide for the working of roads, building bridges, in Washington county.

T. CLANTON, Clerk.

Message from the Governor by his private secretary, Mr. Screws.

EXECUTIVE DEPARTMENT.

December 6, 1866.

Mr. President :

I am directed by the Governor to inform the Senate that he has approved bills, which originated in the Senate, as follows :

An act to amend an act relating to county surveyors and treasurers, in the counties of Marshall, Marion, Russell, Covington, Conecuh, and Walker, as therein shown ;

An act to repeal sections eight, nine and ten, and to amend section eleven of an act to establish the Canebrake Agricultu-

ral district, to provide for the securing of the same, and the management of its affairs ;

To amend an act to incorporate the Planters and Merchants Mutual Insurance company, of Mobile ;

To authorize the Cahaba, Marion and Greensboro Railroad company, to increase their capital stock, and extend their road ;

To authorize the Secretary of State to issue a patent to Geo. Brown, for certain lands, therein described ;

To regulate the compensation of the commissioners court of Clarke county ;

An act to authorize J. B. Earle, executor of Thos. J. Wright, deceased, to sell the cotton belonging to said estate at private sale ;

An act to authorize the administrators of David Ward, deceased, to sell the real estate belonging to said estate at private sale ;

An act to authorize Benjamin B. and Theophilus S. Fontaine, citizens of the State of Georgia, to qualify as executors of the estate of John Fontaine ;

An act for the protection of Robert McIlvaine, as the administrator, with the will annexed, of Charles H. Sanford, deceased ;

To amend an act to amend section 1860 of the Code, approved January 27, 1858 ;

To authorize Edgar G. Dawson, a citizen of Georgia, to execute the will of Mrs. Eliza Terrell ;

To give the probate court of Wilcox county, jurisdiction of the estate of Wm. D. King, deceased ;

To regulate the fees of the judge of probate of Clarke county ;

An act to authorize the estate of Samuel Pickens to be kept together by the administratrix ;

An act for the relief of Reuben L. Sullivan, of Coosa county ;

An act to create a new county of portions of Montgomery, Macon, Pike, and Barbour counties, to be called the county of Bullock.

Very respectfully,

B. H. SCREWS, Private Secretary.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

The Committee on Enrolled Bills report as correctly enrolled the following bills :

An act to authorize the court of county commissioners of

the county of Chambers to borrow money, and provide the means of repaying the same ;

An act to require the Secretary of State to deliver copies of the acts and journals of the General Assembly to the State Printer within the time prescribed by law ;

An act to authorize the directors of the North-western Railroad Company to transfer the property, rights and privileges of said company to the Cahaba, Marion and Greensboro Railroad Company.

The Committee on Enrolled Bills report as correctly enrolled the following bills :

To authorize courts of Probate to issue process of garnishment on money decrees in their courts ;

To amend section 247 of the Code ;

For the relief of William C. Thomas of Chambers county ;

To destroy the cancelled bills or notes of the bank of Selma now or hereafter received in the office of the Comptroller of public accounts ;

To prescribe forms of letters of administration ;

For the relief of Allen H. Johnson and James G. Barnes, of Tuscaloosa county, and others.

Mr. Winston from the Committee on Internal Improvements, to which was referred a resolution on the subject made the following report :

Your Committee have endeavored to bestow on the subject matter confided to them, a degree of care and consideration commensurate with its great importance. The fact is obvious, that Alabama, together with the entire extent of what has been heretofore known as the cotton growing region, is laboring at this time under great depression. The war and its consequences, but particularly the destruction of her compulsory system of labor, have left her not only greatly reduced in material, but with greatly impaired and enfeebled capacities for resuscitation. The production of cotton by free labor, with us, is yet an experiment, and we are not without hope that it will be so far successful as to prove remunerative ; but that it will be able in the future, as in the past, even under the most favorable circumstances, to make a whole people prosperous and progressive, no reasonable man can expect. If that is to be our only dependence, we must languish ; our lands will deprecate and our population diminish. What is to be done ? To compete successfully in distant markets with the States North and North-West, in the production of stock and grain, is beyond our power. Is there any resource left ? We think, nay, we feel confident, there is.

The mineral treasures of Alabama are very great—it is no exaggeration to say that they are equal to those of any State in the Union, even the most favored. Intelligent Northern men from Pennsylvania and Ohio, men every way competent to judge, and who speak from a personal and practical examination of the vast Coal and Iron deposits of Alabama, with their surroundings, have pronounced them more valuable and more favored than those of their own States. They have expressed amazement at their vast extent and good quality, and the extraordinary facilities which exist for mining and utilizing them. This is not the place to elaborate this topic and draw conclusions from tables of statistics. But the truth may be assumed, as now conceded on every hand, that the most wealthy and powerful States of the world find the essential source of their wealth and power in Coal and Iron. This is true of Great Britain among the nations of the old world, as it is of Pennsylvania, among the States of this Union. In this great truth, there is much of hope and promise for Alabama, though she may now appear despoiled and exhausted.

But how are these treasures to be made available? We want capital to develop them, and means of transportation to the great commercial centres. We know, however, that if we can only provide the latter, the means of transportation will very soon find them out, and population will follow in its train.

Alabama has now more than twelve Railroad lines within her borders, complete in whole or in part, and more than a thousand miles of finished Railroad track; and yet, strange as it may appear, there is not a single direct Railroad communication between her vast mineral regions, which covers over five thousand square miles, and the Atlantic ocean, the Gulf of Mexico or the great lakes. She has only one Railroad connection, and that a very circuitous one, by way of Selma and Meridian, with the Gulf of Mexico; and with the great lakes and the great Atlantic she has none at all; her mineral treasures can find no way to the markets of the world. How does this happen? If these treasures be so *vast* and so valuable, since it is so often and so confidently declared that individual enterprise and private capital will always be found adequate to the timely development of every real source of wealth, the doctrine is not universally true; and the Alabama mineral region stands this day an eminent example to the contrary. Individual interest and private capital will, as a general rule, prefer those enterprises which require the least outlay, and promise the most speedy recompense. Our whole system in Ala-

bama heretofore was a short and easy one ; it was to make cotton to buy negroes, and to buy negroes to make cotton. Every other interest depended on the great cotton interest. But slavery breaks down, and cotton in a manner with it, and we now begin to realize the error of our system, that of placing our whole dependence upon a single interest or resource of production.

It becomes indispensable to adopt a new policy. We must have railroads to get to the markets of the world with our coal and iron, our gold and copper, our marble, slate and granite, to come to the help of cotton and corn, or we will inevitably decline as a State. Instead of new comers being attracted here, many of our people will leave us. But as individual effort and private capital have not been able to provide us railroads to these mineral regions in the past, it is vain to hope they will do so now. What remains? The State will have to extend aid to such enterprises, or they cannot be accomplished. Let the work only begin under proper auspices, and the outside world, anxious to get these mineral deposits to extend their own trade, will give us assistance. For while Railroads are indispensable, in the first instance, to impart real value to these mineral treasures, they in their turn, build up, and maintain Railroads, and life and vigor by this action and reaction is imparted to every department of trade and commerce.

Among the plans and suggestions your committee have carefully examined, is the State-aid system, inaugurated by Tennessee in 1852.

For fourteen years this has been found to work well, through years of war as well as peace. Her Railroads, generated and fostered under that system, constitute to-day the surest foundation upon which the material prosperity of Tennessee rests. One change only from the Tennessee plan is proposed, and this is intended to make the plan more secure for the State. This will be understood and examined when the bill comes to be discussed. We need not go into the details of the bill, as we presume it will be printed, when each Senator will have the opportunity to examine its provisions for himself.

Your committee therefore, in conclusion, respectfully beg leave to report "A Bill to be entitled an act to establish a system of Internal Improvement in the State of Alabama," and earnestly recommend its passage.

WM. O. WINSTON.

The committee therefore report the following bill, and recommend its passage :

To establish a system of internal improvement in the State of Alabama ;

Which was read twice under a suspension of the constitutional rule, and ordered that the bill and report lie on the table. and 150 copies be printed for the use of the two Houses of the General Assembly.

The House bill—

To form a new county to be called the county of Clay, out of portions of Talladega and Randolph counties ;

Was read three times, under a suspension of the constitutional rule, and passed.

Yeas 28—Nays none.

YEAS—Messrs. President, Ashley, Bell, Castens, Cooper, Deason, Drake, Edwards, Forney, Foster, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, Wood, and Woodliff—28.

The House bills—

To authorize the lessees of the Penitentiary to employ convicts outside the prison walls ;

To authorize the judge of probate of Morgan county, to order the private or public sale of certain lands therein named ;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The House bill—

To provide for the adoption, printing and distribution of the Revised Code of Alabama,

Was read twice under a suspension of the constitutional rule, and its further consideration postponed until the 18th January next.

The House bill—

To provide compensation for the assistance to the Commissioner to revise the Code ;

To fix the compensation of the commissioner to revise the Code of Alabama ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The following message was received from the Governor by his Private Secretary, Ben. H. Screws :

EXECUTIVE DEPARTMENT, }
 STATE OF ALABAMA, }
 MONTGOMERY, Dec. 6, 1866. }

Gentlemen of the Senate, and

House of Representatives :

Events of vast importance are now transpiring which bear with peculiar force upon the relation which Alabama sustains to the Union. To these events we cannot be indifferent : they are of so vital a character that we should give to them a calm and deliberate consideration. As the Chief Executive of the State, I deem it a duty under the constitution, to express in form, the apprehension, which you doubtless share with me, lest the stability of our affairs be suddenly broken up.

There is an unmistakable purpose upon the part of those who control the National Legislature, to enforce at all hazards, their own terms of restoration. The measures they propose threaten to at once reverse our progress toward the establishment of that permanent tranquillity which is so much desired by all. To do so, is to immeasurably augment the distress which now exists ; and to inaugurate confusion, the end of which no human prescience can foresee.

To-day, the cardinal principle of restoration seems to be favorable action upon the proposed amendment to the Constitution, which I transmitted to you in my annual message. Upon the *merits* of that amendment, my views are already known. They are founded upon principle, and are unchanged. The *necessity* of the case, I am now constrained to think, is different. We should look our true condition full in the face.

I therefore recommend anew to your consideration this measure, in the light in which it now presents itself, or such other measure as your wisdom may suggest. Should you see proper to ratify it, and our full restoration should follow, we may trust to time and the influence of our representatives to mitigate its harshness. If, on the other hand, admission be delayed, the warning to our sister States may be relied upon to prevent that concurrence on their part which alone can give the measure practical effect.

Having done all, we may then commit our cause to a just God.

R. M. PATTON.

On motion by Mr. Barnes,

The message was referred to the Committee on Federal Relations.

Yeas 24 ; nays 5.

YEAS—Messrs. President, Ashley, Barnes, Castens, Cooper,

Deason, Drake, Edwards, Forney, Foster, Gage, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel, Winston, and Wood—24.

NAYS—Messrs. Bell, Felder, Garrett, Sykes, and Woodliff—5.

On motion by Mr. Lindsay,

Resolved, That the Secretary of the Senate be authorized to employ additional clerical assistance to enroll bills passed before the approaching recess of the General Assembly.

On motion by Mr. Montgomery,

The Senate then adjourned until to-morrow morning, 10 o'clock.

FRIDAY, December 7.

The Senate met pursuant to adjournment.

On motion by Mr. Garrett—

The call of the districts was suspended for the purpose of allowing committees to report.

Mr. Garrett, from the Committee on Finance and Taxation, reported a substitute for the House bill,

To fix the compensation of the commissioner to revise the Code.

On motion by Mr. Forney—

The substitute was laid on the table.

Mr. Forney moved to suspend the constitutional rule to give the bill a third reading forthwith,

Which was carried—yeas, 23 ; nays 2.

YEAS—Messrs. President, Ashley, Barnes, Bell, Castens, Cooper, Drake, Felder, Forney, Foster, Gage, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Powell of Macon, Slaughter, Stansel, and Wood—23.

NAYS—Messrs. Garrett and Moren—2.

The bill was read a third time and passed ;

Yeas, 21 ; nays, 6.

YEAS—Messrs. President, Ashley, Barnes, Castens, Cooper, Deason, Drake, Felder, Forney, Foster, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Macon, Slaughter, Stansel and Wood—21.

NAYS—Messrs. Bell, Gage, Garrett, Jackson of Morgan, Moren, and Sykes—6.

Mr. Garrett, from same committee, reported a substitute to the House bill—

To provide compensation for the assistant commissioner to revise the Code.

On motion by Mr. Barnes—

The substitute was laid on the table—yeas 18 ; nays 5.

YEAS—Messrs. President, Ashley, Barnes, Castens, Drake, Felder, Forney, Foster, Jackson of Lauderdale, Jones, Kilpatrick, Mitchell, Montgomery, Norwood, Powell of Macon, Slaughter, Stansel and Wood—18.

NAYS—Messrs. Bell, Gage, Garrett, Montgomery, Moren and Sykes—5.

And the bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Moren, from the Committee on accounts and Claims, to which was referred the accounts of James A. Rhea, M. W. Allen and Henry L. Taylor, clerks to the commissioner to revise the Code, reported a bill—

For the relief of James A. Rhea, M. W. Allen and Henry L. Taylor, of Montgomery,

Which was read three times under a suspension of the constitutional rule and passed.

Mr. Barnes, from the Judiciary Committee, reported favorably to the House bills—

For the relief of the minor heirs of W. A. Williams, deceased, late of Mobile ;

To amend the charter of the Protestant Orphan Asylum, located in Mobile ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill to consolidate the offices of Adjutant and Inspector General, and Quartermaster General ;

Was read three times under the suspension of the constitutional rule and passed.

Message from the House by Mr. Clanton.

Mr. President:

The House has originated and passed the following bill :

To drain Beech Creek swamp in Dallas county, and to assess a tax upon the owners of land improved thereby.

The House has passed the following Senate bills :

To amend section 487 of the Penal Code ;

To amend section 7, and to repeal sections 2, 3, 4 and 5 of an act to regulate judicial proceedings.

The House has originated and passed bills :

To amend an act entitled an act to exempt from levy and

sale certain property for the use of every family in the counties of Jackson, Madison, Marshall, Lawrence, Limestone, Franklin, and DeKalb;

To regulate the time of holding probate court in the county of Lee;

Requiring the fords of water courses crossed by public roads to be kept in good condition;

An act to fix the time and place of holding the regular terms of the city court of Selma;

For the relief of Amanda L. Spangenberg, of Choctaw county;

To authorize the Montgomery Mining and Manufacturing Company to open and construct a road to their mines and works in Talladega county.

The House has passed the Senate bills:

To ratify the action of the mayor and aldermen of the city of Tuscaloosa, in laying off and selling lots in said city:

To relieve the trustees of Lagrange college, in Franklin county;

To change the time of holding the annual election of President and board of directors of the Tennessee and Coosa Railroad company;

To amend section 73 of an act to establish revenue laws of the State of Alabama, as far as it relates to the county of Lauderdale;

The House has originated and passed the following bills:

Incorporating the Southern Life Assurance and Trust company of Mobile;

To incorporate the Home Insurance company;

To incorporate the Vicksburg and Brunswick Railroad company;

For the relief of the chartered banks of this State, releasing the bonus now due and unpaid;

To authorize the Governor to settle with William O. Winston, of DeKalb county;

To incorporate the Mobile Paper Manufacturing company;

To amend an act entitled an act to amend an act to authorize the commissioners court of Lauderdale county to issue treasury notes, to pay for building of important bridges, repairing the court house, and other purposes approved December 14, 1865;

To amend an act entitled an act to amend an act to incorporate the Northern Bank of Alabama, approved February 2d, 1854.

To allow Wm. S. Thorington to obtain license to practice law in all the courts of this State, if deemed qualified ;

To incorporate the town of Livingston, in Sumter county ;

To incorporate the Georgia Petroleum company ;

To divide Marengo county into four commissioners districts ;

To incorporate the Central Mining and Manufacturing company of Alabama ;

To incorporate the city of Greenville ;

To incorporate the Northport Wharf company ;

To incorporate the Selma and Tuscaloosa Telegraph company ;

To incorporate the Shoal Creek Transportation company ;

To incorporate the Bell Factory Manufacturing Company ;

To incorporate the Mobile Harbor and Rail Road Company ;

To incorporate the Mobile Building Block Company ;

To incorporate the Gold Ridge Mining Company ;

To incorporate the Arbacoochee and North Alabama Gold Mining Company ;

For the relief of Wm. J. Bass, guardian of Henrietta Bishop, of Bibb county ;

To amend an act to incorporate the Citizens' Mutual Insurance Company of Mobile ;

To authorize W. H. Northington, as administrator of the estate of Lanceford Long, deceased, to rent the lands belonging to said estate privately ;

To authorize judges of probate to appropriate, when necessary, a portion of the principal of the estates of wards for their education and support ;

To pay John Callahan the sum of five hundred and seventy six dollars in full for repairing the furniture in the Senate chamber ;

To refund to the United States, or to such person as shall pay to the United States, the public monies appropriated by the State of Alabama from the Land Office at Greenville, Alabama ;

To fix the time of holding the circuit court in Montgomery county ;

For the relief of P. Cayho, of Washington county ;

For the relief of C. J. McMahan ;

To amend an act to establish the city court of Eufaula ;

To incorporate the Mutual Insurance Company of Selma ;

To authorize John Jordan, guardian of W. H. Jordan, in the county of Marshall, to invest the funds of his wards in real or personal property.

T. CLANTON, Clerk.

The House bill—

To incorporate the Budahatchie Water Power and Manufacturing Company ;

Was read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bill—

To provide for the adoption, printing, and distribution of the revised Code ;

Was read twice, under the suspension of the constitutional rule, and its further consideration postponed until the 16th January, 1867.

The Senate concurred in the amendment of the House to the bill to authorize the Judges of Probate in the counties of Perry, Greene and Pickens, to hire persons confined as convicts in the jail of their respective counties, and sentenced to hard labor, to work on the Cahaba, Marion and Greensboro Rail Road.

The House bill—

To permit the commissioners to revise the Code, to employ assistance during the recess ;

Was read twice, under the suspension of the constitutional rule, and ordered to a third reading.

The House bill—

To pay the expenses of a committee to visit and inspect the Penitentiary ;

Was read a third time and passed.

The bill to refund to the United States or to such persons as shall pay to the United States the public moneys appropriated by the State from the land office at Greenville ;

Was read a third time and passed.

The House bill—

To drain Beech Creek Swamp in Dallas county, and to assess a tax upon the owners of lands improved thereby ;

Was read three times, under the suspension of the constitutional rule, and passed.

The bill in relation to the office of the Superintendent of Education ;

Was read a third time ;

Mr. Lindsay moved to postpone its further consideration until 16th January next ;

Which was lost,

And the bill was passed.

The House bill—

For the relief of Rufus Forester, of Randolph county ;

Was read a third time and passed.

The bill to give jurisdiction to the Probate court of Maren-go county, over the estate of Benj. F. Kelly, deceased ;

Was read a third time and passed.

The House bill—

To amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, approved January 2, 1833 ;

Was read a second time, and its further consideration postponed until the 16th January, 1867.

Mr. Barnes, from the Committee on Federal Relations, to which was referred the Governor's message on the joint resolution of the Congress of the United States proposing amendments to the Constitution of the United States, reported that the committee were of opinion, that the General Assembly should not ratify the said constitutional amendment, and therefore report the following resolutions :

Resolved, by the Senate and House of Representatives of the State of Alabama in General Assembly convened, That the State of Alabama hereby refuses the proposed constitutional amendment as proposed by the Congress of the United States by joint resolution of said Congress at the last session thereof, to be numbered article 14 of said Constitution, consisting of five sections inclusive.

Mr. Barnes moved to suspend the rule of the Senate requiring joint resolutions to be read on three several days, as in the case of bills having the force and effect of laws ;

Which was carried. Yeas 20, Nays 9.

YEAS—Messrs. Ashley, Barnes, Castens, Cooper, Deason, Drake, Edwards, Forney, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Powell of Macon, Slaughter, Stansel, and Wood—20.

NAYS—Messrs. President, Bell, Moren, Sykes, Foster, Gage, Garrett, Felder, and Woodliff—9.

Mr. Garrett moved to postpone the further consideration of the resolution until the 16th of January next ;

Which was lost. Yeas 7, nays 21.

YEAS—Messrs. Felder, Foster, Gage, Garrett, Moren, Sykes, and Woodliff—7.

NAYS—Messrs. President, Ashley, Barnes, Castens, Cooper, Deason, Drake, Edwards, Forney, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Powell of Macon, Slaughter, Stansel and Wood—21.

Mr. Sykes moved to amend by substitute, which proposed

to defer action on the subject until the question should be submitted to a vote of the people of the State on the 2d Monday of January, 1867 ;

Which, on motion by Mr. Barnes, was laid on the table.

Mr. Barnes moved the previous question ;

Which was carried ;

And the question being on the adoption of the resolution, it was adopted.

Yeas 28 ; nays 3.

YEAS—Messrs. President, Ashley, Barnes, Boykin, Castens, Cooper, Deason, Drake, Edwards, Forney, Foster, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Wood, and Woodliff—28.

NAYS—Messrs. Bell, Felder and Sykes—3.

The House bill to amend an act to exempt from lvey and sale certain property for the use of every family in Jackson, Madison, Marshall, Lawrence, Limestone and DeKalb ;

Was read three times, under the suspension of the constitutional rule, and passed.

On motion by Mr. Montgomery, the Senate adjourned until this afternoon, half-past three o'clock.

AFTERNOON SESSION, December 7.

The Senate met pursuant to adjournment.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To authorize the board of county commissioners of Chambers county to borrow money and provide the means of repaying the same ;

To incorporate the Chichasabogue Manufacturing Company ;

To explain and construe the 11th sub-division of section 3, of chapter 1, of an act to establish revenue laws of the State of Alabama, approved February 22, 1866 ;

To aid in the preservation of human life on railroad trains ;

To prevent the abatement of prosecutions by the repeal, revision, alteration or amendment of laws ;

To increase the duties of overseers on public roads, and to prevent parties from joining fences to public bridges ;

To authorize the coroner of Mobile county to appoint a deputy coroner ;

To authorize the directors of the North Western Rail Road

Company to transfer the property, rights and privileges of said company to the Cahaba, Marion and Greensboro Rail Road Company ;

To incorporate "The Occocoposa Manufacturing Company" ;

To repeal certain sections of an act "to amend the laws in relation to elections in certain cases," approved December 8, 1862 ;

To establish a place of voting in Pine Flat precinct, in the county of Elmore ;

To repeal section 979 of the Code ;

To amend an act to regulate the office of Attorney General ;

To prescribe an additional oath to the officers of this State, and to repeal section 110 of the Code ;

To remove the administration of the estate of Robert B. Armistead, deceased, from the county of Mobile, to the county of Montgomery ;

To regulate the mode of releasing persons held to bail in this State, when the grounds of bail are denied, and where schedules are filed ;

To repeal section two of an act therein named, and to prevent the conversion of money by certain officers :

To amend section 144 of the Code ;

To repeal section 1097 of the Code ;

To enlarge the jurisdiction of justices of the peace, in cases of injury to stock by railroads, and for other purposes ;

To incorporate the Cowbellion De Rakin society of the city of Mobile ;

To provide for cessions to the United States of lands within this State, for certain specified purposes ;

To amend section 248 of the Code ;

To amend section 1242 of the Code of Alabama ;

To amend an act, therein named, in reference to the bond of the Secretary of State ;

To prescribe a form for letters testamentary ;

To amend section 2632 of the Code of Alabama ;

To make it the duty of the court to impose the punishment in all offenses punishable by hard labor ;

To incorporate the Tuscumbia Savings Association at Tuscumbia ;

To incorporate the Choctaw County Manufacturing company ;

To require the Secretary of State to deliver copies of the acts and journals of the General Assembly to the State Printer within the time prescribed by law ;

To amend section seven and to repeal sections two, three

four and five of an act entitled an act to regulate judicial proceedings ;

To authorize the city of Montgomery to aid in building and equipping the South and North Alabama Railroad from Montgomery to Limekiln ;

For the relief of the heirs of Thomas J. Lyle, deceased ;

To refund to the United States, or to such person as shall pay to the United States, the public moneys appropriated by the State of Alabama from the Land Office at Greenville ;

To amend the charter of the Stonewall Insurance company ;

To incorporate the Home Insurance company ;

For the relief of the chartered banks of the State, releasing the bonus now due and unpaid ;

To incorporate the Mobile Paper Manufacturing company ;

To incorporate the Citizen's Mutual Insurance company ;

The following message was received from the Governor, by his private Secretary, Mr. Ben. H. Screws :

The Governor has approved the following bills :

To incorporate the Cowbellion DeRakin Society of the city of Mobile ;

To prevent the abatement of prosecutions by the repeal, revision, amendment, or alterations of laws ;

To authorize the city of Montgomery to aid in building and equipping the South and North Alabama Railroad from Montgomery to Limekiln ;

To incorporate the Tuscumbia Savings Association of Tuscumbia ;

To require the Secretary of State to deliver copies of the Acts and Journals of the General Assembly to the State Printers within the time prescribed by law ;

To make it the duty of the court to impose the punishment in all offences punishable by hard labor ;

To amend section 144 of the Code ;

An act for the relief of Allen H. Johnson and James G. Barnes, of Tallapoosa county, and others ;

An act to amend an act entitled an act to continue and complete the collection of the records of the Alabama soldiers in the late war ;

An act to extend the power of the city council of Montgomery so as to authorize the issue of notes amounting to \$100,000, to aid the Montgomery and Eufaula Railroad ;

An act to amend the charter of the Mobile Trade Company ;

An act to authorize the courts of Probate, to issue process of garnishment on money decrees in their courts ;

An act to prescribe forms of letters of administration ;

An act to destroy the cancelled bills or notes of the Bank of Selma, now or hereafter received in the office of Comptroller of public accounts ;

An act for the relief of Wm. C. Thomas, of Chambers county ;

An act to remove the administration of Robert B. Armistead, deceased, from the county of Mobile to the county of Montgomery ;

To prescribe an additional oath to the officers of this State, and to repeal section 110 of the Code ;

To repeal certain sections of an act to amend the laws in relation to elections in certain cases, approved December 8, 1862 ;

To amend an act to regulate the office of Attorney General ;

To repeal section 979 of the Code ;

To establish a place of voting in Pine Flat precinct, in the county of Elmore ;

To authorize the Directors of the North-West Railroad Company to transfer the property, rights and privileges of said Company to the Cahaba, Marion and Greensboro Railroad Company.

An act to authorize the Coroner of Mobile county, to appoint a deputy Coroner ;

To increase the duties of overseers on public roads, and to prevent parties from joining fences to public bridges ;

An act to enlarge the jurisdiction of the Justices of the Peace in cases of injury to stock by railroads, and for other purposes ;

To amend an act therein named in reference to the bond of the Secretary of State.

Very respectfully,

BEN. SCREWS, Private Sec'y.

The bills—

To amend section 144 of the Code ;

To amend section 247 of the Code ;

To form a new county to be called the county of Baine :

To authorize the court of county commissioners of Chambers county, to borrow money, and to provide means for repaying the same ;

To amend the charter of the Stonewall Insurance Company ;

To amend section 1242 of the Code ;

To regulate the mode of releasing persons held to bail in this State, where the grounds of bail are denied, and where schedules are fixed ;

For the relief of the heirs of Thomas Lyle, deceased ;

To repeal section 2 of an act therein named, and to prevent the conversion of money by certain officers ;

To incorporate the Chickasabogue Manufacturing Company ;

To incorporate the Occocoposa Manufacturing Company ;

To amend section 248 of the Code ;

To incorporate the Home Insurance Company ;

The House bills—

To authorize the Montgomery Mining and Manufacturing Company to open and construct a road to their mine or works in Talladega county ;

To regulate the time of holding the probate court of the county of Lee ;

To fix the time and place of holding the regular terms of the city court of Selma ;

Requiring the fords of water courses crossed by public roads to be kept in good condition ;

For the relief of Amanda L. Spangenberg, of Choctaw county ;

Were severally read three times, under a suspension of the constitutional rule, and passed.

On motion by Mr. Lindsay—

The Senate then adjourned until 12 o'clock, January 15th, 1867, in pursuance of the resolution adopted by the two Houses of the General Assembly.

TUESDAY, January 15, 1867

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Ticknor.

Upon the call of the roll, the following Senators were present :

Messrs. President, Ashley, Cooper, Deason, Drake, Edwards, Felder, Garrett, Kilpatrick, Montgomery, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood and Woodliff—16.

There being no quorum present, on motion by Mr. Powell, of Tuscaloosa.

The Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, January 16.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Ticknor.

When the call of the roll, the following members were present :

Messrs. President, Ashley, Bell, Boykin, Cooper, Deason, Drake, Edwards, Felder, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, Montgomery, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—21.

There being a quorum present, the Senate proceeded to the transaction of business.

M. J. Bulger, Senator elect from the district composed of the county of Tallaposa, appeared within the bar of the Senate, was qualified and took his seat.

Upon the call of the districts, the following bills were introduced—

Mr. Kilpatrick, a bill, to amend section 3 of "An act to amend the laws regulating the settlement of estates of deceased persons," approved February 5th, 1858 :

Mr. Garrett, a bill to amend section 2465 of the Code ;

Also, a bill to amend 185 of the Code ;

Mr. Edwards, a bill to authorize Ellen Elizabeth Deaver, of Blount county, to make a title to a certain tract of land therein named ;

Which were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Felder, a bill to incorporate the Montgomery Water Works Company, for the city of Montgomery ;

Mr. Cooper, a bill to alter and amend the charter of the town of Camden, in Wilcox county ;

Mr. Woodliff, a bill to incorporate the Gadsden Manufacturing Mining and Company ;

Mr. Jackson of Lauderdale, a bill to amend the charter of the town of Florence ;

Also, a bill to incorporate the North Alabama Manufacturing Company ;

Mr. Winston, a bill to amend an act to incorporate the New Orleans, Mobile and Chattanooga Railroad company, approved November 24th, 1866 ;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the committee on Corporations ;

Mr. Kilpatrick, a bill to authorize Burgess Bennett to take out letters of guardianship in this State ;

Mr. Felder, a bill to regulate the time of holding the chancery court in the 8th district of the Southern chancery division at Montgomery ;

Mr. Powell of Tuscaloosa, a bill, accompanied with a petition, to prohibit the sale of spirituous or vinous liquors within two miles of the factory of Gibson, McDaniel & Co., in Tuscaloosa county ;

Which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Felder, a bill to repeal an act entitled an act to define the powers of justices of the peace in the counties of Dallas, Pickens and other counties, approved February 23d, 1866, so far as it applies to Montgomery county ;

Which was read twice under a suspension of the constitutional rule.

Mr. Powell of Tuscaloosa moved to amend by striking out the word "county" after "Montgomery," and adding the following : "and Tuscaloosa counties," which was adopted ;

And the bill read a third time, under the suspension of the constitutional rule, and passed.

The title was amended by inserting "and Tuscaloosa," after "Montgomery," and changing county to counties.

Mr. Deason, a bill to extend the time for the collection of taxes ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Montgomery presented an account of J. C. Henderson, late sheriff of Talladega county, for feeding State prisoners ;

Which was referred to the Committee on Accounts and Claims.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills:

To establish a place of voting in Brownsville and Johnson's precincts in the county of Lee ;

To declare James M. Norwood, a liner between the counties of Chambers and Lee, a citizen of Lee county, and to change the county lines between said counties.

The Senate proceeded to consider the message from the House:

The House bill—

To establish a place for voting in Brownsville and Johnson's precincts in the county of Lee ;

Was read three times under a suspension of the constitutional rule, and passed.

The House bill—

To declare James M. Norwood (a liner between the counties of Chambers and Lee) a citizen of Lee county, and to change the county line between said counties ;

Was read three times under the suspension of the constitutional rule and passed.

Yeas 22 ; nays 0.

YEAS—Messrs. President, Ashley, Bell, Boykin, Bulger, Cooper, Deason, Drake, Edwards, Felder, Garrett, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Montgomery, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—22.

The following message was received from His Excellency the Governor through his Private Secretary, Mr. Dixon :

EXECUTIVE DEPARTMENT, }
STATE OF ALABAMA, }
MONTGOMERY, Jan. 15, 1867. }

Gentlemen of the Senate and

House of Representatives :

In my annual Message I gave a statement of the financial condition of Alabama at the time of your recent meeting. I deem it proper at this time to communicate some further information respecting the temporary loan of three hundred and

fifty thousand dollars, which was negotiated with Winslow, Lanier & Co., of New York, and payable with interest, on the 1st of January, 1867.

In my former message, I expressed the opinion that, by the 1st of January, or soon thereafter, funds for the purpose of paying this loan might be realized by the sale of the State's bonds at par; or that, if desired, the time of payment might be extended until the State could meet it without embarrassing sacrifices. This opinion was fully justified by the information then before me. But soon after your adjournment for the recess, I was informed by Winslow, Lanier & Co., that an extension of time could not be granted. It was also ascertained that, in the peculiar political condition of the country, our bonds could not be sold except at a heavy discount. The parties from whom this loan was obtained, held State bonds to the amount of four hundred and fifty thousand dollars, as a pledge for the loan; and upon non-payment of the indebtedness, on the first of January, they had the right to place them in the market, and sell them for what they would bring.

This being the case, I concluded to visit New York in person, for the purpose, if possible, of arranging the loan in some way that would keep our bonds out of the money market under the present disadvantages. Such an arrangement I was fortunately enabled to make. An amount of money sufficient to pay the principal and interest of the loan, was obtained from Messrs. James A. Raynor, and William S. Williams, of the city of New York. These enterprising and liberal capitalists are named as two of the corporators in the charter recently granted for the New Orleans, Mobile and Chattanooga Railroad. They pay the amount due Winslow, Lanier & Co., taking, as collateral security, the hypothecated eight per cent. State bonds which have been held by that firm. For the amount thus obtained from Messrs. Raynor and Williams, the State's obligation will be given for six months from the 25th of January, with interest at the rate of seven per cent. per annum. I entertain no doubt that, at the expiration of the six months, the time for paying the principal can be extended, if desired by the State. I think that, under all the circumstances, this is a very favorable arrangement in regard to this loan.

From Duncan, Sherman & Co., agents for the State in New York, I ascertained that, up to the 1st of January, 1867, they had extended, with new five per cent. State bonds, having twenty years to run, the sum of six hundred and ninety-two thousand dollars.

Of the arrear of interest, they had funded with five per cent. bonds, the amount of one hundred and eighty-one thousand two hundred dollars.

Besides this, the Commissioner and Trustee of the State, at Montgomery, has extended bonds to the amount of three hundred and ninety-one thousand dollars, and funded sixty-four thousand six hundred and seventy-five dollars of interest. This shows that the aggregate amount of bonds extended is one million twenty thousand dollars; and that the amount of interest funded is two hundred and forty-five thousand eight hundred and seventy-five dollars.

With Sherman, Duncan & Co., I also arranged for the payment of coupons due January 1, 1867, on fifty-three thousand five hundred dollars, of eight per cent. bonds, sold in St. Louis and elsewhere to procure supplies for the destitute, as stated in my annual Message.

While in New York I conferred fully with the United States Commissioners for the Paris Exposition. I found that they took a lively interest in having all the States properly represented. It may not be improper to observe that Alabama's interest has a special friend in F. A. P. Bernard, late of the University of Alabama, and now President of Columbia College, in New York. That learned gentleman is the principal Commissioner for the United States, and is particularly solicitous for a liberal contribution of the various mineral, and other specimens which will properly represent the vast natural resources of Alabama. I arranged with the Commissioner for the transportation, from New York to Paris, of all such articles as might be prepared and forwarded. A considerable variety of valuable specimens has already been furnished, and many more are confidently expected. I respectfully submit to the Legislature the question of making a limited appropriation to pay the expenses of transporting specimens from the interior of the State to Montgomery, and hence to New York. Several gentlemen of the State will visit Paris during the ensuing spring, some of whom have kindly consented to act as agents to represent Alabama's interest at the Exposition.

In passing by Washington city, I availed myself of the opportunity of making known, by personal representations to the President and Secretary of War, the continued destitution which prevails in our State, and the urgent necessity for further assistance at the hands of the General Government. The application for additional relief was favorably responded to. An order was issued for a liberal amount of supplies for the months of February and March, arrangements having been

previously made for January. It is hoped that by the aid thus generously furnished, we will be so far enabled to meet the wants of the helpless destitute during the present winter as to be saved the necessity of supplying them by the State in its depressed condition.

R. M. PATTON.

On motion by Mr. Garrett, the message was referred to the Committee on Finance and Taxation.

On motion by Mr. Lindsay, the business of the Senate was suspended to enable him to offer the following resolution :

Resolved, That a committee of one from each Congressional district, and ten from the State at large, be appointed to consider the apportionment of Senators and Representatives, and the division of the State into Congressional districts according to the census of 1866, and report by bill or otherwise.

Mr. Garrett moved to lay the resolution on the table ;

Which was put, and lost. Yeas 3 ; nays 18.

YEAS—Messrs. Bulger, Cooper, and Garrett—3.

NAYS—Messrs. President, Ashley, Boykin, Deason, Drake, Edwards, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Montgomery, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—18.

Mr. Montgomery moved to amend by striking out the word “one” in the first line, and inserting the word “two” ;

Which was adopted.

Mr. Lindsay moved to strike out the words “and two from the State at large” ;

Which was carried, and the resolution as amended was adopted.

Messrs. Lindsay, Edwards, Ashley, Kilpatrick, Felder, Mitchell, Bulger, Montgomery, Foster, Powell of Tuscaloosa, Drake and Woodliff, were appointed the committee.

On motion by Mr. Deason,

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of amending the stay law so that the same shall not apply to proceedings against parties failing to work on public roads, and report by bill or otherwise.

On motion by Mr. Garrett,

Resolved, (the House of Representatives concurring,) that the presiding officers of the two houses be requested and authorized to appoint the Select Committee provided for in section 34 of the Code, to examine the offices of the Comptroller and State Treasurer.

Resolved, 2d, That said committee, when appointed, shall

have all the powers and perform the duties required in sections 35 and 36 of the Code, and shall be allowed to report at any time during the session.

Messrs. Garrett, Moren, and Jackson of Morgan, were appointed the committee on the part of the Senate.

The Senate proceeded to consider the first special order, being the bill—

To fix the pay and mileage of the officers and members of the General Assembly.

The question pending being on concurring in the amendments reported by the committee,

Mr. Lindsay moved to lay the amendments reported by the committee on the table,

Which was lost.

Yeas 9 ; nays 14.

YEAS—Messrs. Bell, Deason, Drake, Edwards, Jackson of Lauderdale, Jones, Lindsay, Montgomery, and Powell of Tuscaloosa—9.

NAYS—Messrs. Ashley, Boykin, Bulger, Cooper, Felder, Gage, Garrett, Jackson of Morgan, Kilpatrick, Powell of Macon, Sykes, Winston, Wood, and Woodliff—14.

Mr. Sykes moved to recommit the bill to the same committee with instructions to report a bill reducing the salaries and pay of all State officers and members and officers of the General Assembly thirty-three and one-third per cent.

Mr. Lindsay moved to lay the motion on the table, which was lost,

Yeas 10, nays 13.

YEAS—Messrs. Boykin, Drake, Edwards, Gage, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, and Montgomery—10.

NAYS—Messrs. President, Ashley, Bell, Bulger, Cooper, Felder, Garrett, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—13.

Mr. Lindsay called for a division of the question on Mr. Sykes' motion, and the question being first put, on recommitting the bill ;

It was carried ;

The question being next taken on the other branch of the motion, to-wit : instructing the committee ;

It was put and lost.

Yeas 5, Nays 19.

YEAS—Messrs. Bulger, Felder, Garrett, Jackson of Morgan, Sykes—5.

NAYS—Messrs. President, Ashley, Bell, Boykin, Cooper, Dea-

son, Drake, Edwards, Gage, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Montgomery, Powell of Macon, Powell of Tuscaloosa, Winston, Wood, and Woodliff—19.

On motion by Mr. Garrett—

The Senate then adjourned until to-morrow morning, 10 o'clock.

THURSDAY, January 17.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Ticknor.

Upon the call of the districts, the following bills and petitions were introduced :

Mr. Gage presented a petition—

To change the name of the National Savings Institution of Mobile—

Which was referred to the Committee on Corporations.

Mr. Deason presented a petition from the citizens of Shelby, Bibb, Tuscaloosa, and Jefferson counties, praying the formation of a new county ;

Which was referred to the Committee on county boundaries.

Mr. Kilpatrick introduced a bill—

To authorize Mrs. A. M. Carleton to invest the money of certain wards ;

Mr. Deason a bill—

To legalize the appointment of Alexander K. Martin, of Jefferson county, as trustee under the wills of John and Sarah Martin ;

Mr. Jackson, of Lauderdale, a bill—

To authorize the Secretary of State to furnish the judge of the fourth judicial circuit with reports of the supreme court, in place of those lost during the war ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Deason a bill—

To incorporate the Memphis and Elyton Railroad Company ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Drake a bill—

For the relief of John S. Nance, of Madison county ;

Which was read twice under the suspension of the consti-

tutional rule, and referred to the Committee on Finance and Taxation.

Mr. Garrett presented an account of Messrs. Lehman & Brother ;

Which was referred to the Committee on Accounts and Claims.

Mr. Lindsay a bill—

To enlarge the powers of chancellors in cases of extraordinary process ;

Mr. Powell, of Macon, a bill—

To declare Eliza L. Lewis, wife of Wm. J. Lewis, of Bullock county, a free dealer ;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Cooper offered the following resolution :

Resolved, That when the census returns leave it in doubt whether any proposed new county has not the required population, the Committee on County Boundaries may receive such other evidence as to them may seem just and proper ;

Which was lost.

Message from the House by Mr. Clanton.

Mr. President :

The House has originated and passed the following bills :

To authorize the mayor and common council of the city of Selma to issue *treasury* notes.

The House has passed the following Senate bills :

To authorize Dr. B. W. Groce, of the county of Greene, to sell certain lands in the county of Talladega ;

To regulate the *issuance* and return of executions from the county courts ;

To provide for the trial of causes in which circuit judges or chancellors are incompetent to preside ;

To extend the provisions of an act, therein named, to the counties of Pickens, Fayette and Franklin ;

To amend an act making copies of deeds evidence in certain cases, approved December 12, 1853.

To amend section 1966 of the Code ;

To regulate the sale of personal property of decedents, by order of courts of probate ;

To amend section 2183 of the Code of Alabama ;

To amend section 2820 of the Code of Alabama ;

To repeal an act to amend section 2526 of the Code, approved November 29, 1866.

The House has adopted the Senate joint memorial to Congress for a grant of land to the Savannah and Memphis Railroad.

The House has rejected the Senate bill:

To provide for the transportation of specimens to the Paris Universal Exposition.

The House has adopted the following resolution, by the requisite constitutional majority of two-thirds:

Resolved, the Senate concurring, That the present session of the General Assembly be extended beyond the thirty days provided for in the constitution.

T. CLANTON, Clerk.

On motion by Mr. Winston, the vote referring to the Committee on Corporations the bill to amend an act to incorporate the New Orleans, Mobile and Chattanooga Railroad Company, was reconsidered; as also the vote ordering the bill to a second reading, when, by unanimous leave, the bill was withdrawn.

The Senate proceeded to consider the resolution of the House extending the present session of the General Assembly beyond thirty days provided for in the Constitution;

Mr. Lindsey moved to amend the resolution so that the extension should not go beyond the first day of February;

Which was lost;

And the resolution was adopted by a vote of two-thirds of the Senate, as required by the Constitution.

On motion by Mr. Garrett,

Resolved, That the Comptroller of Public Accounts be requested to prepare and lay before the Senate a statement showing the amount of the tax assessments for the year 1866, arranged by counties, distinguishing the different items of taxation, the amount of insolvencies returned and amount of tax paid, so far as the same can be compiled from returns to his office.

On motion by Mr. Winston, the bill to establish a system of internal Improvements in the State of Alabama;

Was taken from the table and its consideration made the special order for Wednesday next at 11 o'clock.

Mr. Cooper, from select Committee reported favorably to the House bill to repeal an act establishing the Canebrake Agricultural District, so far as the county of Dallas is concerned;

The bill was read a third time, under the suspension of the constitutional rule and passed.

The Senate proceeded to consider the

SPECIAL ORDERS.

The first in order being the bill for the relief of George E. Brewer, Adjutant and Inspector General of Alabama ;

The question pending being on the adoption of the substitute reported by the committee ;

On motion by Mr. Lindsay, the bill was recommitted to the same committee.

The special orders being the bills reported by the committee on the Revised Code ;

And the House bills—

To provide for the adoption, printing and distribution of the Revised Code ;

To amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, approved January 2, 1833 ;

Were severally postponed and made the special order for Wednesday next.

The next special order—

To make an appropriation to aid the Orphans' Home of the Synod of Alabama ;

Which, on motion by Mr. Garrett, was laid on the table.

Yeas 15, nays 8.

YEAS—Messrs. President, Ashley, Bell, Bulger, Deason, Drake, Edwards, Felder, Gage, Garrett, Jones, Montgomery, Norwood, Sykes, and Wood—15.

NAYS—Messrs. Boykin, Cooper, Foster, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, and Powell of Macon—8.

The House bill—

To authorize the Mayor and common Council of the city of Selma, to issue treasury notes ;

Was read three times, under a suspension of the constitutional rule, and passed.

Mr Jackson of Morgan, introduced a bill to legalize the action of the Commissioners Court of Morgan county, upon certain matters therein contained ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Deason from the Committee on Enrolled Bills, reported the following as correctly enrolled ;

An act to change the time of holding the annual elections of President and Board of Directors of the Tennessee and Coosa Railroad Company ;

An act to relieve the Trustees of LaGrange College, in Franklin county ;

An act to amend an act to establish the city court of Eu-
faula ;

An act to authorize Judges of Probate to appropriate, when necessary, a portion of the principal of the estates of wards for their education and support ;

An act to authorize Wm. H. Northington, as administrator of the estate of Lanceford Long, deceased, to rent the lands belonging to said estate privately.

On motion by Mr. Garrett,

The Senate adjourned until to-morrow morning, 10 o'clock.

FRIDAY, January 18.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Ticknor.

Upon the call of the districts, the following bills were introduced :

Mr. Kilpatrick, a bill to impose additional duties on Sheriffs ;

Mr. Jackson of Morgan, a bill for the relief of Wm. Stringer, administrator of the estate of Wm. A. Oden, deceased ;

Mr. Garrett, a bill to more effectually provide for the organization of Elmore county ;

Also, a bill to organize a Chancery District of certain counties therein named ;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Deason, a bill to establish a Medical Board in the county of Jefferson ;

Mr. Powell of Tuscaloosa, a bill to amend an act to authorize the court of county commissioners of Tuscaloosa county, to settle and adjust claims against said county, and to issue bonds to pay the same, approved January 23d, 1866 ;

Mr. Ashley, a bill to authorize the judge of probate of Conecuh county, to substitute lost records of judgments and decrees of courts, and other records and papers ;

Mr. Powell of Tuscaloosa, a bill for the relief of Basil Manley Richards, of Tuscaloosa county ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Deason, a bill to compensate David E. Hickman, for feeding prisoners ;

Which was read twice under the suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

Mr. Powell of Tuscaloosa, a bill to authorize the Mayor and Aldermen of the city of Tuscaloosa, to build a bridge and pontoon, and establish a ferry across the Black Warrior river ;

Which was read twice under the suspension of the constitutional rule, and referred to the Committee on Roads, Bridges and Ferries.

Mr. Drake, a bill, to declare Joseph H. Harris, (a liner between the counties of Chambers and Lee,) a citizen of Lee county ;

Mr. Forney, a bill, approving the consolidation of the Dalton and Jacksonville railroad company and the Georgia and Alabama railroad company of the State of Georgia, with the Alabama and Tennessee Rivers railroad company, and to authorize the consolidated company to adopt a corporate name and charter, and act under the same ;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Internal Improvements ;

Mr. Lindsay, a bill to amend sections 16 and 22, of an act to incorporate the New Orleans, Mobile and Chattanooga railroad company, approved November 24, 1866, and to add two additional sections ;

Which was read twice, under a suspension of the constitutional rule ;

Mr. Garrett, moved to refer the bill to the committee on Internal Improvements ;

Which was lost ;

On motion of Mr. Lindsay, it was referred to the Committee on the Judiciary.

Mr. Deason from the committee on Enrolled Bills, reported the following as correctly enrolled :

To incorporate the Central Mining and Manufacturing company of Alabama.

Mr. Cooper, from the Committee on Finance and Taxation, reported favorably, with amendments, to the bill to secure more effectually the assessment of taxes in this State ;

The amendments were adopted, and the bill read the third time, under the suspension of the constitutional rule, and passed.

Also, adversely to the bill for the relief of V. Gayle Snedecor, tax assessor of Greene county ;

The report was concurred in, and the bill lost.

Mr. Powell of Macon, from same committee, reported favorably, with amendments, to the bill to provide for the keeping of the Alabama State Tract books, and to furnish registers from the same to the several counties of the State ;

The amendments were adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Drake, from same committee, reported favorably, with amendments, to the bill to extend the time for the collection of taxes ;

The amendments were adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Ashley, from same committee, reported favorably to the bill to amend the third paragraph of section four of chapter one of an act to establish revenue laws of the State of Alabama, approved February 22, 1866 ;

The bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Gage, from the same committee, asked leave to be discharged from further consideration of the bill to fix the pay and mileage of the officers and members of the General Assembly, and recommended that it be referred to the joint committee of the two houses on retrenchments.

The committee were discharged, and the bill re-committed as recommended.

Mr. Sykes, from same committee reported adversely to the House bill to repeal section 3931 of the Code, and to provide a substitute therefor regulating the fees of jailors in conveying convicts to the penitentiary ;

The report was concurred in, and the bill lost.

Mr. Jones, from the Committee on Corporations, reported favorably to the House bill to incorporate the Briarfield Iron Works company, in the county of Bibb.

Message from the Governor, by his Private Secretary, Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles, that originated in the Senate:

To amend an act entitled an act to incorporate the Planters' and Merchants' Mutual Insurance Company of Mobile ;

To amend section 457 of the Penal Code ;

To amend section 73 of an act to establish revenue laws of the State of Alabama, so far as it relates to the county of Lauderdale.

I am instructed to communicate the following message in writing :

EXECUTIVE DEPARTMENT, }
STATE OF ALABAMA, }
Montgomery, January 18, 1867. }

To the Senate :

I respectfully request the consent of the Senate, as provided by law, to the appointment of Alonzo G. Story as commissioner for the Alabama Institution for the Deaf and Dumb at Talladega, to fill a vacancy occasioned by the resignation of James W. Hardie.

R. M. PATTON.

The nomination of Alonzo G. Story was confirmed by the Senate.

Message from the House by Mr. Clanton :

Mr. President :

The House rejected the Senate bills :

To extend the time of making census returns ;

To provide for the working the roads and building bridges in Washington county ;

To make Sarah Elizabeth Marshall a free-dealer.

The House has passed the following bills :

To incorporate the Cahaba Insurance Company ;

To make Calvin Runnels a citizen of Montgomery county :

To make James F. Armstrong a citizen of Montgomery county ;

To compensate the clerk of the commissioner on the Code, employed by the commissioner on the authority of this General Assembly ;

To incorporate the Pickett Springs Gravel Road Company ;

To establish a new charter for the city of Selma ;

To regulate the summoning of grand and petit jurors in the county of Winston ;

To authorize the removal of the administration of Absalom

W. Arnold, deceased, from the probate court of Dallas county to the probate court of Blount county ;

To amend section 8 of an act to incorporate the Gulf City Insurance Company, approved Dec. 10, 1861 ;

To compel administrators, executors, guardians and trustees, to continue the administration and settlement of the estates in certain cases in Pike county ;

To amend an act to incorporate the Mobile Mutual Insurance Company ;

To increase the fees of county commissioners in the county of Winston, and compel their attendance to said courts ;

For the relief of Laura E. Houston, of Autauga county ;

To revive the charter of the Alabama Medical Society, and to change its name ;

To relieve Philander W. Parker from the disabilities of minority ;

To levy tax in Marion county ;

To create an additional term of the chancery court of the 28th chancery district of the Northern chancery division, composed of the county of St. Clair ;

To legalize the election for intendant and town councilmen for the town of Cahaba ;

To authorize John R. Barton to practice law in all the courts of this State ;

For the relief of Charles J. Deramus, of Autauga county.
T. CLANTON, Clerk.

On motion by Mr. Gage—

The bill to amend section 1519 of the Code, and to establish a conventional rate of interest for this State, was taken from the table ;

The question pending being on concurring in the adverse report of the committee ;

The Senate refused to concur.

Mr. Ashley moved—

To amend by striking out the word ‘seven’ and inserting ‘six,’ and to strike out the word ‘ten’ and insert ‘twelve.’

On motion by Mr. Powell, of Tuscaloosa—

The further consideration of the bill and amendment was postponed until to-morrow 12 o'clock.

On motion by Mr. Garrett—

The Senate then adjourned until to-morrow morning 10 o'clock.

SATURDAY, January 19.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Ticknor.

Upon the call of the districts the following bills were introduced :

Mr. Kilpatrick a bill—

To extend the time for making affidavits to claims against estates of deceased persons, which were declared insolvent between the 11th day of January, 1861, and the 1st day of September, 1865.

Mr. Montgomery a bill ;

To authorize the administrator of the estate of Samuel C. McGehee, of Talladega county, to sell lands belonging to said estate privately ;

Mr. President, (Mr. Jones in the Chair,) a Bill—

To declare the effect of the repeal of repealing statutes.

Also, a bill to reorganize the 11th judicial circuit, and fix the times of holding the courts for the same ;

Mr. Sykes, a bill to amend an act to define the relative duties of master and apprentice ;

Which were severally read twice under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Ashley, a bill to amend an act to establish the time of holding the regular annual meeting of the General Assembly of the State of Alabama ;

Which was read twice under the suspension of the constitutional rule.

Mr. Foster moved to amend by striking out Monday and inserting Wednesday.

The bill and amendment were referred to the committee on Finance and Taxation.

Mr. President (Mr. Jones in the chair,) a bill to establish an election precinct at Honoraville, in Crenshaw county ;

Which was read three times under the suspension of the constitutional rule and passed.

Mr. Bell, a bill for the relief of Joel Shelton, of Randolph county ;

Mr. Deason, a bill for the relief of Mrs. Marcy M. Johnson, of Jefferson county ;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on Propositions and Grievances.

Mr. Deason, a bill for the relief of persons keeping houses of entertainment for transient persons in the county of Jefferson ;

Which was read twice under the suspension of the constitutional rule and referred to the Committee on Finance and Taxation.

Mr. Powell of Macon, a bill to encourage manufactories in the State ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

Mr. Garrett, a bill to suspend the payment and distribution of the school fund until further action of the Geneneral Assembly ;

Which was read twice under the suspension of the constitutional rule and referred to the Committee on Education.

On motion by Mr. Lindsay, the call of the districts was suspended, to allow him to offer the following resolution :

Resolved, That the Committee on the Judiciary be instructed to prepare and report a bill organizing four chancery divisions in this State, instead of three, now provided by law ;

Mr. Cooper moved to lay the bill on the table ;

Which was lost—yeas 10, nays 17.

YEAS—Messrs. Bell, Cooper, Drake, Felder, Forney, Garrett, Kilpatrick, Montgomery, Powell of Macon, and Wood—10.

NAYS—Messrs. President, Ashley, Boykin, Bulger, Deason, Edwards, Foster, Gage, Jackson of Lauderdale, Jackson of Morgan, Jones, Lindsay, Norwood, Powell of Tuscaloosa, Sykes, Winston, and Woodliff—17.

Mr. Garrett moved to strike out all after the word “resolved,” and insert the following, “that the Committee on the Judiciary be instructed to inquire into the expediency of lessening the number of chancery districts, by uniting conveniently two or more counties into one district.”

Mr. Lindsay called for a division of the question, and being first taken on striking out,

It was put and lost—yeas 10, nays 14.

YEAS—Messrs. Bulger, Cooper, Drake, Felder, Forney, Gage, Garrett, Kilpatrick, Montgomery, an Powell of Macon—10

NAYS—Messrs. Ashley, Bell, Boykin, Deason, Edwards, Foster, Jackson of Lauderdale, Jackson of Morgan, Jones, Lindsay, Powell of Tuscaloosa, Sykes, Winston, and Woodliff—14.

Mr. Garrett moved to amend by striking out the words “be instructed,” and inserting the words “inquire into the expediency of ;”

Which was lost

Mr. Sykes moved to amend by adding the following, "and reducing the salaries of the chancellors to twenty-two hundred and fifty dollars :

Which was adopted ;

And the resolution, as amended, was adopted.

Mr. Jackson of Lauderdale, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To authorize the Governor to settle with William O. Winston, of DeKalb county ;

For the relief of William J. Bass, guardian of Henrietta Bishop, of Bibb county ;

For the relief of P. Cayho, of Washington county ;

For the relief of C. J. McMahon ;

To incorporate the Northport Wharf company ;

To incorporate the Georgia Petroleum Company ;

To fix the time of holding the circuit court in Montgomery county ;

To amend an act entitled an act to amend an act to incorporate the Northern Bank of Alabama, approved February 2, 1854 ;

To divide Marengo county into four Commissioners Districts ;

To amend an act entitled an act to authorize the commissioners court of Lauderdale county to issue treasury notes to pay for the building of important bridges, repairing of court house and other purposes, approved December 14, 1865 ;

To authorize the judges of probate in the counties of Perry, Greene, and Pickens, to hire persons confined as convicts in the jail of their respective counties, and sentenced to hard labor, to work on the Cahaba, Marion and Greensboro railroad ;

To authorize John Jordan, guardian of William H. Jordan, in the county of Marshall, to invest the funds of his ward in real or personal property.

Mr. Kilpatrick from the Judiciary Committee, reported favorably to the bill to amend section 3 of an act to amend the laws regulating the settlement of estates of deceased persons, approved February 5, 1858 ;

The bill was read a third time under the suspension of the constitutional rule, and passed.

Mr. Edwards from the Committee on County Boundaries, reported favorably to the bill to declare Joseph H. Harris (a liner between the counties of Chambers and Lee,) a citizen of Lee county ;

The bill and report were laid on the table.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed bills—

To make Robert D. Thornton a liner between the counties of Barbour and Bullock, a citizen of Barbour county ;

To establish a Medical Board in the county of Marshall ;

To confer additional powers upon the court of county commissioners of Autauga county ;

To make James H. Milton, a citizen of Butler county ;

To authorize courts of county commissioners of the county of Choctaw to make certain appropriations ;

To declare Joseph H. Harris, a liner between the counties of Chambers and Lee, a citizen of Lee county, and to change the line between said counties ;

A bill to amend amend 1st section of an act entitled an act to create a new county out of portions of Macon, Montgomery, Pike and Barbour counties, approved December 5th, 1866 ;

Granting to the city of Mobile, the riparian rights in the river front ;

To authorize the court of county commissioners of Sumter county to issue bonds for county purposes.

T. CLANTON, Clerk.

On motion by Mr. Bulger,

Resolved, That there be a joint committee of the two houses to consist of two from the Senate and three from the House, to wait upon the Hon. L. E. Parsons, and invite him to address the two Houses of the General Assembly, in the Hall of the House of Representatives, at such time as may suit the convenience, and give such information in regard to the situation and prospects of the country as may be in his possession, and proper to be communicated.

Ordered, that the resolution be sent forthwith to the House.

Mr. Powell of Macon offered the following preamble and resolution :

WHEREAS, It is the dictate of sound policy and wise statesmanship to foster and encourage in every practicable way the speedy development of the mineral, agricultural and manufacturing resources of the State ; and

WHEREAS, the crippled financial condition of our people precludes the possibility of their being able to accomplish this desired object, within any reasonable time, without material aid ; Therefore,

Resolved, That the committee on Internal Improvements be

and they are hereby instructed to inquire into the expediency of affording State aid to companies that are now or may hereafter be engaged in the manufacture of cotton, wool and iron in this State, and report by bill or otherwise ;

Which was adopted.

The Senate then proceeded to consider the special order, being the bill—

To amend section 1519 of the Code, and to establish a conventional rate of interest for this State.

The question pending being on the amendment offered by Mr. Ashley,

On motion by Mr. Bulger,

The bill and amendments were laid on the table.

Yeas 13 ; nays 10.

YEAS—Messrs. Bulger, Cooper, Deason, Drake, Edwards, Forney, Jones, Kilpatrick, Lindsay, Powell of Macon, Powell of Tuscaloosa, Winston, and Woodliff—13.

NAYS—Messrs. President, Ashley, Bell, Boykin, Felder, Foster, Gage, Montgomery, Sykes, and Wood—10.

The Senate proceeded to consider the message from the House :

The House bills—

To legalize the election for intendant and councilmen for the town of Cahaba ;

To regulate summoning of grand and petit jurors in the county of Winston ;

To authorize the removal of the administration of the estate of Absalom W. Arnold, deceased, from the probate court of Dallas to the probate court of Blount county ;

To amend an act to incorporate the Mobile Mutual Insurance Company ;

To revive the charter of the Alabama Medical Society, and to change its name ;

To increase the fees of county commissioners in the county of Winston, and compel their attendance at said courts ;

To amend the eighth section of an act to incorporate the Gulf City Insurance company, approved December 16, 1861 ;

To authorize John K. Barton to practice law in all the courts of this State ;

To levy a tax in Marion county ;

To confer additional powers upon the court of county commissioners of Autauga county ;

To authorize the court of county commissioners of Choctaw county to make certain appropriations ;

Granting to the city of Mobile the riparian rights in the river front ;

To authorize the court of county commissioners of Sumter county to issue bonds for county purposes ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill—

To amend the first section of an act to create a new county out of portions of Macon, Montgomery, Pike and Barbour counties, approved December 5, 1866,

Was read three times, under the suspension of the constitutional rule, and passed—yeas 24, nays none.

YEAS—Messrs. President, Ashldy, Bell, Boykin, Bulger, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Jackson of Lauderdale, Jones, Kilpatrick, Montgomery, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—24.

The House bill—

To amend an act to incorporate the Cahaba Insurance company ;

To incorporate the Montgomery and Pickett Springs Gravel Road Company ;

To establish a new charter for the city of Selma ;

To establish a medical board for the county of Marshall ;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bills—

To make Robert D. Thornton, a liner between the counties of Barbour and Bullock, a citizen of Barbour county ;

To declare Joseph H. Harris, a liner between the counties of Chambers and Lee, a citizen of Lee county, and to change the line between said counties ;

To make James H. Milton a citizen of Butler county ;

To create an additional term of the chancery court for the 38th chancery district of the northern chancery division, composed of the county of St. Clair ;

For the relief of Charles J. Deramus, of Autauga county ;

To relieve Philander M. Parker from the disabilities of minority ;

For the relief of Laura E. Houston, of the county of Autauga ;

To make Calvin Runnels, a citizen of Montgomery county ;

To make James F. Armstrong a citizen of Montgomery county ;

Were severally read twice, under the suspension of the con-

stitutional rule, and referred to the Judiciary Committee.

The House bill—

To compel administrators, executors, guardians and trustees, to continue the administration and settlement of estates in certain cases in Pike county ;

Was read twice, under the suspension of the constitutional rule, and referred to a Select Committee of three

The House bill—

To compensate the clerk of the committee on the Code employed by the committee on the authority of the General Assembly ;

Was read twice, under the suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

Mr. Forney, from the Judiciary Committee, reported favorably to the bill to amend an act to incorporate the New Orleans, Mobile and Chattanooga Railroad Company, approved Nov. 24, 1866, and to add additional sections thereto.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

Ordered that the bill be sent to the House as soon as engrossed.

On motion of Mr. Garrett, the Senate adjourned until tomorrow morning, 10 o'clock.

MONDAY, January 21.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Matthews.

Upon the call of the Districts,

The following bills were introduced :

Mr. Cooper, a bill to authorize the probate judge of Pike county to grant letters of administration on the estate of Homer V. Howard, to Elizabeth G. Howard, a citizen of Georgia.

Mr. Moren, a bill for the relief of James Hill, Jr., administrator of Robert Hill, deceased ;

Also, a bill to re-organize the Centreville Bridge Company ;

Also, a bill for the protection of administrators, executors, and guardians in Bibb county ;

Mr. Barnes, a bill for the relief of James S. Wright, of the county of Chambers ;

Which were severally read three times under a suspension of the constitutional rule, and passed.

Mr. Barnes, a bill to enlarge the jurisdiction of the Chancery court ;

Also, a bill to pay McClung and Jaques for salt manufactured for the State of Alabama;

Mr. Sykes, a bill for the relief of Nancy M. C. Beynolds, of Lawrence county;

Mr. Deason, a bill to authorize registers in chancery to administer oaths and to receive such compensation for other services as is allowed to justices of the peace;

Mr. Forney, a bill for the relief of Caledonia Green, of Calhoun county, and permit her to marry;

Mr. Garrett, a bill to amend an act to regulate judicial proceedings, approved February 26, 1866;

Mr. Drake, a bill for the benefit of the estate of Charles H. Patton, deceased, late of Madison county;

Mr. Moren, a bill to declare Narcissa Shuttleworth, of Bibb county, a free dealer;

Which were severally read twice, and referred to the Judiciary Committee.

Mr. Jackson, of Lauderdale, a bill for the relief of William B. L. Thrasher, of Lauderdale county;

Which was read twice under the suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

On motion by Mr. Gage,

The vote passing the House bill granting riparian rights to the river front to the city of Mobile,

Was reconsidered, and the further consideration of the bill postponed and made the special order for to-morrow, 12 o'clock.

Mr. Deason, from the committee on enrolled bills, reported the following as correctly enrolled;

To incorporate the Mutual Insurance Company of Selma;

To incorporate the town of Livingston, in Sumter county.

Mr. President laid before the Senate the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE, }
January 21st, 1867. }

Honorable W. H. Crenshaw,

President of the Senate:

I herewith transmit to the Senate a copy of the census returns of Alabama, as made to this office, under the provisions of the census act of February 21st, 1866. From these returns, embracing all the counties in the State, I have compiled two tabular statements, which are also transmitted. Table num-

ber one, exhibits the entire population by counties, distinguished by sexes, and classified decimally, so as to show the ages of each class from ten years and under, up to one hundred. It also embraces the number of persons, who were killed and disabled, and who died of disease during the recent war. It further shows the number of insane white persons, epileptics, and idiots, in each county. Table number two, shows the colored population classified in the same manner, respecting age and sex, as the white population in table number one. The preparation of these tables has involved considerable labor, and much care; but it was supposed that they might be of some value as showing general results in a condensed form. With each county return, there is a recapitulation sheet, showing the white population by townships, together with the number of colleges, academies, and common schools in the different counties, and the number of scholars attending each. The aggregate population of the State, is as follows:

| | |
|---------------|---------|
| Whites | 522,799 |
| Colored | 422,445 |

| | |
|-------------|---------|
| Total | 945,244 |
|-------------|---------|

This is a decrease of 18,957, since 1860, as shown by the United States census of that year; the diminution of whites being 3,632, and of the colored 15,325.

Very respectfully, your obedient servant,

D. L. DALTON,
Secretary of State.

Message from the House by Mr. Clanton:

Mr. President:

The House has originated and passed the following bills:

To remove the estate of Moses Kahn from Mobile county to Wilcox county, Ala.;

To authorize Marcus S. Jones, of Cherokee county, to settle with his guardian, and for other purposes;

To authorize the commissioners court of St. Clair county to issue treasury notes for the purpose of repairing public buildings;

To make J. J. Bruner, a citizen of Dale county;

To declare William H. Davis and Willis B. Butt, liners between the counties of Russell and Bullock, and to make them citizens of Bullock county;

To declare R. L. Gray, a liner between the counties of Randolph and Clay, a citizen of Clay county;

For the relief of the tax-payers in the county of Covington ;
 Requiring dockets to be kept by probate judges ;

Prescribing the mode of giving notice of motion to enter satisfaction of judgment, or to set aside such entries, when any of the parties are non-residents ;

An act to authorize the probate court of Russell county to grant an application of Mrs. M. E. Whitaker for dower ;

To organize the terms and times of holding the courts of chancery in the middle chancery division ;

Requiring surviving partners to return inventories of the partnership effects to the courts of probate ;

And asks the Senate's concurrence in the same.

The House has passed the Senate bill—

To amend an act to establish the city court of Eufaula.

T. CLANTON, Clerk.

The Senate proceeded to consider the special orders for this day :

The House bill—

To provide for the adoption, printing and distribution of the Revised Code, being on its second reading,

Its further consideration was postponed and made the special order for Wednesday next, 11 o'clock.

The House bill—

To amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior River opposite the city of Tuscaloosa, approved January 2, 1833, being on its second reading,

Was referred to the Judiciary Committee.

Mr. Cooper, from the Committee on Finance and Taxation, reported adversely to the bill—

For the relief of Geo. E. Brewer, Adjutant and Inspector General,

And recommended the adoption of the substitute heretofore reported by the same committee.

The substitute was adopted.

Yeas 13 ; nays 12.

YEAS—Messrs. President, Bell, Cooper, Deason, Edwards, Felder, Gage, Jones, Moren, Sykes, Winston, Wood, and Woodliff—13.

NAYS—Messrs. Ashley, Barnes, Bulger, Forney, Foster, Jackson of Lauderdale, Jackson of Morgan, Lindsay, Montgomery, and Powell of Macon—12.

The bill was recommitted to the Committee on Military Affairs.

Mr. Kilpatrick from the Judiciary Committee, reported adversely to the House bill ;

To regulate the Statute of Limitations in certain cases ;

Mr. Powell of Tuscaloosa, from same committee, also adversely to the House bill,

Concerning vagrants and vagrancy in Washington county ;

Which were severally concurred in.

Mr. Cooper, from same committee, reported favorably to the House bill,

To grant authority to the probate court to distribute real estate by sale or division, where such property has been received under the law authorizing executors, administrators, &c., to compromise bad and doubtful debts ;

Which was read a third time under a suspension of the constitutional rule, and passed.

The Senate proceeded to consider the special orders for the hour of 12 o'clock this day :

The bills to regulate the time for the election of the State printers, and the term of his office ;

To amend an act to encourage immigration and immigrant labor ;

To amend section 6 of an act to regulate judicial proceedings, approved January 20, 1866 ;

To provide for the demanding of abstract of titles in real actions from parties thereto ;

To amend section 2566 of the Code ;

To require sheriffs and other officers selling lands to make titles or deeds thereto ;

To construe an act to regulate judicial proceedings, approved February 20, 1866 ;

To amend section 679 of the Penal Code ;

To amend section 511 of the Penal Code ;

To amend section 174 of the Penal Code ;

To amend an act in relation to elections in certain cases and to except clerks of the circuit court from the provisions of said act ;

Being on their second reading were severally read the third time, under the suspension of the constitutional rule, and passed.

The bill to provide for the adoption, printing and distribution of the Revised Code ;

And the bill to enlarge the duties of the Attorney General of the State, were laid on the table.

The bill—

To fix the fees of the clerk of the supreme court for bind-

ing up the records of the supreme court cases, being on its second reading—

Mr. Garrett moved to amend by striking out “fifty cents” and inserting “one dollar” ;

Which was carried, and the bill read a third time, under the suspension of the constitutional rule and passed.

The bill to provide for the printing and binding of the Revised Code being on its second reading—

Mr. Garrett moved to amend by striking out sections 2, 3, and 4 ;

And the bill and amendment were referred to the Committee on State Printing.

Mr. Powell, of Macon, from Select Committee, reported favorably, with amendments, to the House bill—

To compel executors, administrators, guardians and trustees to continue the administration and settlement of estates in certain cases, in Pike county ;

The bill was recommitted to the Judiciary Committee, with instructions to report a general bill on the subject.

The House bills—

To authorize the probate court of Russell county to grant an application of Mrs. M. E. Whittaker for dower ;

To make D. M. Brewer a citizen of Dale county ;

Requiring dockets to be kept by probate judges ;

To declare William H. Dennis, and Willis B. Butt (liners between the counties of Russell and Bullock,) citizens of Bullock county ;

To declare R. S. Gray, (a liner between Clay and Randolph counties,) a citizen of Clay county ;

To reorganize the terms and times of holding the courts of chancery in the middle chancery division, prescribing the mode of giving notice to enter satisfaction of judgments, or to set aside such entries, where any of the parties are non-residents ;

Were severally read twice and referred to the Judiciary Committee.

The House bills—

For the relief of tax payers in Covington county ;

To authorize the commissioners court of St. Clair county to issue treasury notes for the purpose of repairing public bridges ;

To authorize Marcus S. Jones, of Cherokee county, to settle with his guardian, and for other purposes ;

To remove the estate of Moses Kahn from Mobile to Wilcox county ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. President laid before the Senate the following communication from the Comptroller of Public Accounts :

COMPTROLLER'S OFFICE, }
MONTGOMERY ALA., January 21, 1867. }

Hon. W. H. Crenshaw, President of Senate :

SIR : In compliance with a resolution of the Senate, requiring the Comptroller of Public Accounts to prepare a statement, showing the amount of the tax assessment for the year 1866,

Herewith I transmit a tabular statement of the assessment of real estate and personal property in forty-four counties ; Which exhibit total assessment of \$615,533 91
Eight counties have not forwarded their assessment to this office ; I estimate to produce... 133,200 00
Making total assessment for the year..... 748,733 91
Received in the treasury since 1st of October, on general taxes..... 258,108 35
And on account of liquor tax..... 7,840 54

Very respectfully,

M. A. CHISHOLM,
Comptroller.

The communication and accompanying statement were referred to the Committee on Finance and Taxation.

The Senate then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, January 22, 1867.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mathews.

Upon the call of the districts, the following bills were introduced :

Mr. Kilpatrick, a bill to extend the time within which certain endorsers, or their assignees, may bring suits ;

Mr. Powell of Macon, a bill to allow non-resident executors, and administrators to qualify and act as such in this State ;

Mr. President, (Mr. Jackson of Lauderdale in the chair,) a bill to legalize certain acts of James A. Powers as administrator of the estate of Robert Yeldell ;

Mr. Bulger, a bill to prevent the sacrifice of property at sales under legal process ;

Mr. Powell of Tuscaloosa, a bill, (accompanied with a peti-

tion,) to authorize the Governor to pardon Peter Martin, jr. ;

Also, a bill for the relief of Thos. Shea ;

Also, a bill to authorize the issuing of executions on certain judgments, without a revival ;

Mr. Jones, a bill for the relief of Richard J. Murray of Fayette county ;

Also, a bill to declare Martha McReynolds, wife of Wm. H. McReynolds, of Fayette county, a free dealer ;

Mr. Sykes, a bill to regulate advancements in the settlement of the estate of deceased persons ;

Mr. Drake, a bill to repeal, in part, section 2564 of the Code ;

Mr. Powell, of Macon, a bill to declare J. A. B. Slaughter, wife of G. B. Slaughter, a citizen of Macon county, a free dealer ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Felder, a bill to abolish fencing in certain portions of Montgomery county ;

Which was read twice, under the suspension of the constitutional rule.

Mr. Felder moved to amend by additional section, as section 10 ;

Which was adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Moren, a bill to authorize E. H. Moren, guardian of Samuel D. Pitts, of Bibb county, to invest the funds of his said ward in real and personal property, and for other purposes ;

Which was read twice, under the suspension of the constitutional rule, and passed.

Mr. Jones, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to incorporate the Vicksburg and Brunswick Rail Road Company ;

An act to amend section 2183 of the Code of Alabama ;

An act to incorporate the Bell Factory Manufacturing Company ;

An act to incorporate the Selma and Tuscaloosa Telegraph Company ;

An act to allow William S. Thorington to obtain license and practice law in all the courts of the State ;

To amend section 1966 of the Code of Alabama ;

To authorize Dr. B. W. Groce, of the county of Greene, to sell certain trust lands in the county of Talladega ;

To regulate the issuance and return of executions from the county courts ;

To authorize Charles M. Wiley and Ann G. Wiley, citizens of Georgia, to qualify as executors of the last will and testament of John B. Wiley, in Alabama ;

To amend section 2526 of the Code of Alabama, approved November 29th, 1864 ;

A joint memorial to Congress for a grant of land to the Savannah and Memphis Railroad Company ;

Mr. Deason introduced a bill, accompanied with a petition, to create a new county out of portions of Shelby, Jefferson, Tuscaloosa and Bibb ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on County Boundaries.

Mr. Jones, from the Committee on Corporations, to which was referred a petition to change the name of the National Savings Institution of Mobile, reported a bill to amend section 1, of an act to charter the National Savings Institution of Mobile, approved February 23, 1866, and to change the name of said company to that of Citizens' Bank of Mobile ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Forney, from the Committee on Corporations, reported favorably to the bills—

To incorporate the Montgomery Water Works Company of Montgomery ;

To incorporate the Gadsden Manufacturing and Mining Company ;

Mr. Jackson, of Morgan, from same committee, reported favorably to the bill to alter and amend the charter of the town of Camden, in Wilcox county.

Mr. Jones, from same committee, reported favorably to the House bill—

To incorporate the Budahatchie Water Power and Manufacturing Company ;

Mr. Deason, from same committee, reported favorably to the House bill—

To establish a medical board in the county of Marshall ;

Mr. Winston, from the Judiciary Committee, reported favorably to the House bill—

To amend section 160 of the Penal Code ;

Mr. Lindsay, from the Committee on Corporations, reported favorably to the House bill—

To incorporate the State Insurance Company of Mobile ;

Which were severally read a third time under the suspension of the constitutional rule, and passed.

Mr. Deason, from the Committee on Corporations, asked leave to be discharged from the further consideration of the bill—

To incorporate the Memphis and Elyton Railroad Company ;

And recommended that the same be recommitted to the Committee on Internal Improvements.

The committee were discharged, and the bill committed as recommended.

Mr. Ashley, from the Committee on Finance and Taxation, reported adversely to the bill—

For the relief of persons keeping houses of entertainment for transient persons in Jefferson county ;

The report was concurred in.

Mr. Sykes, from the Committee on Finance and Taxation, reported a substitute for the bill—

To amend an act to establish the time of holding the regular annual meetings of the General Assembly ;

Mr. Lindsay moved to lay the substitute on the table ;

Which was lost.

The substitue was adopted.

Yeas 18, nays 11.

YEAS—Messrs. President, Ashley, Boykin, Bulger, Cooper, Drake, Edwards, Foster, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Jones, Mitchell, Montgomery, Powell of Macon, Sykes and Winston—18.

NAYS—Messrs. Barnes, Bell, Deason, Forney, Kilpatrick, Lindsay, Moren, Norwood, Powell of Tuscaloosa, Wood and Woodliff—11.

Mr. Lindsay moved to postpone indefinitely the further consideration of the bill,

Which was lost.

And the bill was ordered to be engrossed for a third reading on to-morrow.

Message from the House of Representatives, by Mr. Clanton.

Mr. President:

The House has passed bills—

To authorize persons to keep and use skiffs or other craft therein named, for conveying foot passengers across the Black Warrior River, opposite the city of Tuscaloosa ;

To provide pay for the grand and petit jurors, and court of county commissioners of the county of Franklin ;

For the relief of Emma Dellett Deshea ;

For the relief of the heirs of Hindman Barney, deceased ;

To require the payment of the State and county tax on license granted by the Mayor and Aldermen of the city of Huntsville, to be made to the judge of probate of the county of Madison ;

To make R. B. Colvin, C. W. Cottingham and T. J. Cottingham, liners between Lowndes and Crenshaw counties in this State, citizens of Lowndes county ;

For the relief of the sheriff of Russell county ;

Prohibiting judges of this State from practicing law in the courts of this State ;

For the relief of Charles B. Williams of Wilcox county ;

To authorize Mary Hughes, of Franklin county, to make titles to a certain tract of land in Franklin county ;

To allow parties interested in settlement before probate courts to require the judge of probate to have the testimony in such settlement taken down in writing ;

To authorize the court of county commissioners of Barbour county to issue treasury notes to pay for the building of bridges, and other county purposes ;

To legalize the issuance of certain bonds therein named.

T. CLANTON, Clerk.

The House has adopted a joint resolution of thanks to the Hon. Lewis Wyeth of Marshall county, in this State ;

The House has adopted the following resolution.

Resolved, By the House of Representatives of the State of Alabama, the Senate concurring, That a committee of two from each House be appointed from each House to confer with the Governor, Secretary of State, Comptroller and Treasurer of the State, to ascertain the amount of the previously accruing liabilities of the State, the resources to meet such liabilities, and what amount, if any, it may be necessary to provide therefor said, committee to report without delay ;

Messrs. McKinstry and Echols, are the committee on the part of the House.

The House has also adopted the the following resolution :

Resolved, the Senate concurring, That a committee of three be appointed on the part of the House to act with a like committee on the part of the Senate, whose duty it shall be to examine the last reports of the Comptroller and Treasurer, and report such information as may be desired therefrom, as to the

payment of claims for services rendered the State prior to the inauguration of the Provisional Government of this State, and said committee are requested to ascertain what services was performed, when performed, and by what authority payment was made therefor, and in what currency the same was paid, and when paid and, said committee shall have power to send for persons and papers ;

Messrs. Savage, Morse and McKinstry, are the committee on the part of the House.

On motion by Mr. Garrett,

The Senate proceeded to consider the above resolutions of the House ;

The resolutions were severally concurred in.

Messrs. Garrett and Sykes were appointed the committee on the part of the Senate, under the first resolution, and Messrs. Cooper, Gage and Jackson of Lauderdale, were appointed the committee on the part of the Senate, under the second resolution.

Mr. Garrett from the Committee on Finance and Taxation, reported adversely to the bill for the relief of John S. Nance of Madison county ;

Mr. Drake moved to lay the report on the table ;

Which was lost.

Yeas 11 ; nays 16.

YEAS—Messrs. President, Ashley, Barnes, Bell, Drake, Forney, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Montgomery, Moren, and Powell of Macon—11.

NAYS—Messrs. Bell, Bulger, Cooper, Deason, Edwards, Felder, Foster, Gage, Garrett, Jones, Mitchell, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—16.

On motion by Mr. Garrett—

The further consideration of the bill was postponed indefinitely—yeas, 15, nays, 12.

YEAS—Messrs. Bell, Bulger, Cooper, Edwards, Felder, Foster, Gage, Garrett, Jones, Mitchell, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—15.

NAYS—Messrs. President, Ashley, Barnes, Deason, Drake, Forney, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Montgomery, Moren, and Powell of Macon—12.

The Senate proceeded to consider the special order being the House bill—

Granting to the city of Mobile the riparian rights in the city front, the question pending on the passage of the bill ;

The bill was passed—Yeas, 25 ; nays, 3.

YEAS—Messrs. President, Ashley, Barnes, Bell, Bulger

Deason, Drake, Felder, Forney, Foster, Gage, Garrett, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, and Wood—25.

NAYS—Messrs. Cooper, Edwards, and Woodliff—3.

Mr. Felder offered the following resolution :

Resolved, That the Committee on Apportionment shall have the authority to hear evidence in addition to the regular and official returns of the census taker in regard to the population of any district or part thereof.

Mr. Cooper moved to amend by inserting after the word “apportionment,” the following, “and the Committee on County Boundaries.”

On motion by Mr. Barnes—

The resolution and amendment were laid on the table.

On motion by Mr. Moren—

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, January 23.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Matthews.

Upon the call of the districts the following bills were introduced :

Mr. Powell, of Macon—

A bill to encourage sheep raising in this State—

Which was read twice under the suspension of the constitutional rule ;

Mr. Huckabee moved to amend the bill by inserting the words “cattle and hogs” after the word sheep ;

On motion by Mr. Garrett—

The bill and amendment were referred to the Committee on Agriculture—

Also, a bill (accompanied with a petition)

For the relief of Virgil O. Frazer of Lee county ;

Which was read twice under a suspension of the constitutional rule.

Mr. Garrett moved to amend by adding the words “on his own account” ;

Which was adopted, and the bill was read a third time, under the suspension of the constitutional rule, and passed ;

Also, a bill to declare Francis A. Greene, wife of J. A. Greene, of Bullock county, a free dealer ;

Mr. Felder, a bill to declare Elizabeth A. Edmonds, of Montgomery county, a free dealer ;

Mr. Garrett, a bill to repeal an act to amend section 2471 of the Code, approved February 5, 1858 ;

Also, a bill to prevent pauperism in this State ;

Mr. Barnes, a bill to declare that certified copies of recorded deeds shall be evidence in certain cases ;

Also, a bill to aid the Montgomery Mining and Manufacturing Company of Alabama ;

Mr. Deason, a bill to amend section 391 of the Penal Code.

Mr. Powell, of Tuscaloosa, a bill for the relief of John D. Drawhen, of Marengo county ;

Also, a bill to authorize the securities of certain officers to use their principals as witnesses in certain cases ;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Bulger presented the petition of J. S. Porter, and fifty-one others, for the relief of Thos. J. Lester ;

Mr. President, (Mr. Jackson of Lauderdale, in the chair,) presented the petition of citizens of Butler county, to authorize Dr. Chambliss to practice medicine without license ;

Which were severally referred to the Judiciary Committee.

Mr. Montgomery, a bill to incorporate the town of Talladega ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Drake presented the accounts of Levi Pitts and Benj. Snodgrass ;

Which were referred to the Committee on Accounts and Claims.

Mr. Bulger, a bill to regulate mileage of members of the General Assembly ;

Which was read twice, under a suspension of the constitutional rule ;

And on motion by Mr. Barnes, was laid on the table ;

Mr. Moren, a bill to change the boundary line between the counties of Bibb and Autauga ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Yeas 30, Nays 1.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Cooper, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren,

Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood, and Woodliff—30.

NAYS—Mr. Deason 1.

The Senate proceeded to consider the special order, being the bill—

To establish a system of Internal Improvements, in this State ;

On motion by Mr. Barnes, the consideration of the bill was postponed, and made the special order for to-morrow 12 o'clock.

On motion by Mr. Garrett, the House bill—

To change the time of holding the circuit court of Coosa county, and to repeal an act therein named ;

Was taken from the table, and the bill was read the third time under the suspension of the constitutional rule, and passed.

Mr. Powell of Tuscaloosa, from the Judiciary committee, reported favorably to the bill—

To authorize the Governor to pardon Peter Martin, jr.

Mr. Powell of Tuscaloosa, from the same committee, reported favorably to the bill—

For the relief of Nancy W. C. Reynolds, of Lawrence county.

Mr. Barnes, from the same committee, reported favorably to the bill—

To enlarge the jurisdiction of the chancery court.

Mr. Forney, from the same committee, reported favorably to the bill—

For the relief Caledonian Greene, of Calhoun county, and permit her to marry ;

Also, favorably to the House bill—

To relieve Philander W. Parker from the disability of minority ;

Also, favorably to the House bill—

Requiring dockets to be kept by probate judges ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

The Senate proceeded to consider the special order being the House bill—

To provide for the adoption, printing and distribution of the Revised Code ;

Being on its second reading,

Mr. Barnes moved to amend section 2 as follows : strike out all after the word "state," in second line, and insert "the State Printers shall, within —— months after the delivery of the original manuscripts to them by the commissioner, deliver to the Secretary of State six thousand copies, equal in quality

of paper, typography, and binding, to the Statutes of Missouri, of 1865 ;”

Strike out all of section 3, and insert a substitute therefor ;
Amend sections 9 and 10 by substitute ;

Amend by additional section as section 16 ;

On motion by Mr. President, (Mr. Jackson of Lauderdale in the chair,)

The bill and amendments were laid on the table.

By leave, Mr. Garrett offered the following resolution :

Resolved, the House of Representatives concurring, that the Committee on State Printing of the two Houses be constituted a joint committee, to which shall be referred the whole question of fixing the rates to be paid for the public printing to be done for the State, (including the Revised Code,) and to fix the rates ;

That said committee shall have power to confer with practical printers to aid their investigations, and report by bill or otherwise ;

Which was adopted.

Mr. Cooper, from the Judiciary Committee, reported favorably, with an amendment, to the bill to authorize Ella E. Deaver, of Blount county, to make a title to a certain tract of land therein named ;

The amendment was adopted, and the bill read a third time and passed.

Mr. Barnes, from the Judiciary Committee, reported adversely to the bills :

To amend section 551 of the Code, relating to subpoenas to witnesses to appear before grand juries ;

To amend the ninth item of section 3992 of the Code, and authorize jailors to receive jail fees for keeping insolvent prisoners, every six months ;

To provide for the collection of costs due to the officers of court, in cases where suits are abated by the death of the defendant ;

Mr. Cooper, also adversely to the bill to repeal, in part, section 2564 of the Code ;

Which were severally concurred in.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed joint resolutions and bills—

To remove the administration of the estate of Wm. V. Bur-

ney, deceased, from the county of Tallapoosa to the county of Macon ;

To amend section 2275 of the Code, so that interpreters may be paid ;

To incorporate the Westville Male and Female Academy in Dale county ;

To remove the administration of the estate of James Albright from Montgomery to Shelby county ;

To amend section 139 of the Code of Alabama, as to Marengo county ;

To regulate and increase the fees of officers and jurors in the counties of Marengo, Greene, Perry and Sumter ;

To empower the court of county commissioners of Choctaw county to furnish blanks for certain public officers, and to purchase furniture for said offices ;

To authorize the court of county commissioners of Clarke county to borrow money ;

To authorize the commissioners court of Montgomery county to levy a special tax ;

To authorize and require the court of county commissioners of Marshall county to issue a certificate or county claim to R. Hampton, late sheriff of said county ;

To regulate practice in criminal cases ;

To regulate the powers of the probate courts of this State in reference to the sale of lands ;

To legalize the action of the court of county commissioners of Morgan county, in a certain case therein specified ;

To authorize F. M. Hirsly, of Greene county, to erect two gates across a public road in said county ;

To incorporate the Alabama Board of Trustees, auxiliary to the American Printing House for the blind, and American University for the blind, and other purposes ;

To authorize John P. Shaffer, county superintendent of Talladega county, to reside in Clay county ;

To repeal an act to repeal section 2447 of the Code, so far as it applies to Blount and Marshall, and other counties therein named, approved November 24, 1861, so far as it applies to the county of Henry ;

To provide for the payment or extension of the indebtedness of the county of Madison ;

To prevent the court of county commissioners of Walker county from levying unlawful taxes ;

To authorize the administrators of the estate of Harrell Hobdy, deceased, late of Pike county, to dispose of the real estate of said deceased at private sale ;

To amend an act to enlarge the jurisdiction of the justices of the peace in cases of injury to stock by railroads, and for other purposes, approved December 7, 1866.

Joint resolutions in reference to the charter of the Tuscaloosa Scientific and Art Association.

The House has passed the Senate bill—

To incorporate the Mutual Insurance Company of Selma.

The House concurs in the resolution of the Senate appointing a committee to wait upon Ex-Gov. Parsons, and inviting him to address the General Assembly.

Messrs. Whitfield, Brooks and Tompkins, are the House committee.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To ratify the action of the mayor and aldermen of the city of Tuscumbia in laying off and selling lots in said city ;

To incorporate the Gold Ridge Mining Company.

The House bills—

To provide for the payment or extension of the indebtedness of the county of Madison ;

To incorporate the Alabama Board of Trustees auxiliary to the American printing house for the Blind, and American University for the Blind, and other purposes ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

Message from the Governor by his private secretary, Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

For the relief of C. J. McMahon ;

For the relief of P. Cayho, of Washington county ;

For the relief of William J. Bass, guardian of Henrietta Bishop, of Bibb county ;

To incorporate the Northport Wharf company ;

To authorize John Jordan, guardian of William H. Jordan, in the county of Marshall, to invest the funds of his ward in real or personal property ;

To incorporate the Georgia Petroleum Company ;

To authorize the judges of probate in the counties of Perry, Greene and Pickens to hire persons confined as convicts in the jails of their respective counties and sentenced to hard labor, to work on the Cahaba, Marion and Greensboro Railroad ;

To amend an act entitled an act to authorize the commissioners court of Lauderdale county to issue treasury notes to pay for the building of important bridges, repairing of court house, and other purposes ;

To divide Marengo county into four commissioners districts ;

To fix the time of holding the circuit court of Montgomery county ;

To amend an act entitled an act to amend an act to incorporate the Northern Bank of Alabama, approved Feb. 2, 1854 ;

To incorporate the Bell Factory Manufacturing company ;

To incorporate the Vicksburg and Brunswick Railroad company ;

To repeal an act to amend section 2526 of the Code, approved November 29, 1866 ;

To amend section 2183 of the Code of Alabama.

The House bill—

To establish the city court of Huntsville,

Was read twice under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Jones, from the Judiciary Committee, reported favorably to—

The House bill—

To declare Joseph H. Harris, (a liner between the counties of Chambers and Lee,) a citizen of Lee county, and to change the line between said counties ;

Mr. Garrett moved to amend by striking out all after the enacting clause to the word “that” in the 5th line.

Mr. Barnes moved to lay the amendment on the table ;

Which was lost.

Mr. Barnes moved to reconsider the vote refusing to lay the amendment on the table ;

Which was lost.

On motion by Mr. Barnes,

The Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, January 24.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mathews.

Upon the call of the Districts, the following bills were introduced :

Mr. Drake, a bill in relation to appeals ;

Mr. Stansel, a bill to amend section 670 of the Penal Code ;

Mr. Powell of Macon, a bill to regulate judicial proceedings in this State;

Mr. Lindsay, a bill to fix the time of holding the circuit court in the 4th judicial circuit;

Which were severally read twice under the suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Barnes, a bill to authorize the Probate Court of Montgomery county to appoint a special administrator on the estate of Jacob F. Bradford, for the special purpose of prosecuting a suit pending in the circuit court of said county of said Jacob F. Bradford vs. John G. Winter;

Which was read three times under the suspension of the constitutional rule, and passed.

Mr. Edwards, a bill, (accompanied with a petition,) to form a new county out of portions of Blount, Jefferson, Walker and St. Clair, to be called the county of ———.

Mr. Cooper, a bill to alter the boundary line between Dallas and Perry, and to annex a portion of Perry to Dallas;

Which were severally read twice, and referred to the Committee on County Boundaries.

Mr. Powell of Macon, a bill—

To declare Rebecca E. Thompson, wife of Benjamin Thompson, of Macon county, a free dealer;

Which was read twice under the suspension of the constitutional rule and referred to a select committee.

Mr. Stansel, a bill—

To extend the time of reporting estates insolvent that have been so rendered by the emancipation of slaves;

Which was read twice under the suspension of the constitutional rule;

Mr. Lindsay moved to amend by striking out all after the word "administrator," and inserting "shall have twelve months from and after the approval of this act, to report the insolvency of the estates they represent;"

The bill and amendment were referred to the Judiciary Committee.

Mr. Foster, a bill—

To aid the education of the blind of this State;

Which was read twice under the suspension of the constitutional rule and referred to the Committee on Insane Hospital.

Mr. Lindsay, a bill—

To authorize the commissioners to revise the Code, to employ an assistant in the completion of the work;

Which was read twice under the suspension of the consti-

tutional rule and referred to a select committee of three, to-wit : Messrs. Barnes, Cooper and Moren.

Message from the House of Representatives.

Mr. President :

The House has passed bills—

To allow additional compensation to the judge of probate court of Wilcox county ;

Authorizing the sale of spirituous or vinous liquors in the town of Haw Ridge in Dale county ;

To declare Francis M. Boswell (liner between the counties of Pike and Bullock) a citizen of Pike county, and to change the line between said counties ;

To authorize George Erwin, of Greene county, to pay his taxes in Marengo county ;

To authorize Sarah L. Watson, administratrix of the estate of Hugh P. Watson, deceased, to dispose of the property of said estate at private sale ;

To allow the commissioners court of Tallapoosa county to levy a tax greater than fifty per cent. ;

To provide for the proper representation of certain products of the State of Alabama in the Paris Universal Exposition, and ask Senate's concurrence therein.

T. CLANTON, Clerk.

The Senate proceeded to consider the report of the Judiciary committee, on the House bill—

To declare Joseph H. Harris (a liner between the counties of Chambers and Lee,) a citizen of Lee county, and to change the line between said counties ;

Question pending, being on the amendment offered by Mr. Garrett ;

The amendment was lost ;

The bill read a third time under the suspension of the constitutional rule, and passed.

Yeas 24, Nays 4.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Drake, Edwards, Forney, Foster, Gage, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Stansel, Winston, and Woodliff—24.

NAYS—Messrs. Bulger, Felder, Garrett, and Wood—4.

Mr. Cooper from the Judiciary Committee, reported adversely to the bill—

For the relief of the administrator of the estate of the late Chas. Patton of the county of Madison ;

Mr. Edwards, from the committee on Roads, Bridges and Ferries, reported adversely to the bill—

To repeal all laws requiring a license for toll bridges and ferries ;

Mr. Lindsay, from the Judiciary committee, reported adversely to the bill—

To amend section 2465 of the Code ;

Mr. Barnes, from the same committee, reported adversely to the joint resolution of the General Assembly, proposing an amendment to the Constitution of this State ;

Mr. Lindsay, from the same committee reported adversely to the bill—

To amend section 185 of the Code ;

Mr. Foster, from the committee on Accounts and Claims, reported adversely to the bill—

For the relief of William B. L. Thrasher of the county of Lauderdale ;

All of which were concurred in.

Mr. Kilpatrick from the Judiciary committee, reported favorably to the House bill—

Prescribing the mode of giving notice of motion to enter satisfaction of judgment, or to set aside such entries when any of the parties are non-residents ;

To authorize the court of county commissioners in this State to make equitable settlements in certain cases ;

To repeal an act entitled “An act to regulate proceedings before justices of the peace in cases of misdemeanors cognizable before them,” approved January 20, 1866 ;

And the Senate bill—

To extend the time for making affidavits to claims against estates of deceased persons, which were declared insolvent between the 11th day of January, 1861, and the 1st day of September, 1865 ;

Mr. Jones, from the same committee, reported favorably to the House bill ;

To establish the City Court of Huntsville ;

Also, to the Senate bill—

For the relief of Richard J. Murray of Fayette county, and Wm. P. Mayho of Chambers county ;

Mr. Felder, from same committee reported favorably to the House bill ;

For the relief of Laura E. Houston, of Autauga county ;

Mr. Bell, from Committee on Accounts and Claims, reported favorably to the House bill—

To compensate the clerk of the committee on the Code employed by the committee on the authority of this General Assembly;

Mr. Lindsay, from Judiciary Committee, reported favorably to the bill to enlarge the powers of the Chancellors in cases of the extraordinary process;

Mr. Forney, from Committee on Corporations, reported favorably to the House bill—

To establish a new charter for the city of Selma;

Mr. Jackson of Lauderdale, from the Committee on Accounts and Claims, reported favorably to the House bill—

To compensate David E. Hickman for feeding prisoners;

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported favorably to the House bill—

To authorize the corporate authorities of Marion to enforce the collection of taxes for the legitimate purposes of the corporation;

Mr. Felder, from the same committee, reported favorably to the House bill—

For the relief of Chas. J. Deramus of Autauga county;

All of which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Edwards, from the Committee on County Boundaries, reported adversely to the bill to form a new county out of portions of Shelby, Jefferson, Tuscaloosa and Bibb counties;

Which was concurred in.

Mr. Moren, from the Committee on Accounts and Claims, in answer to a petition, reported a bill for the relief of J. C. Henderson, former sheriff of Talladega county;

Which was read three times under the suspension of the constitutional rule, and passed.

Mr. Woodliff, from the Committee on Roads, Bridges and Ferries, reported favorably to the bill—

To authorize the mayor and aldermen of the city of Tuscaloosa to build a bridge pontoon and establish a ferry across the Black Warrior River.

On motion by Mr. Powell of Tuscaloosa,

The further consideration of the bill was postponed until tomorrow, 11 o'clock.

Mr. Barnes, from the Judiciary Committee, to which was referred the bill to form a new county to be called the county of King, for the purpose of determining the question whether it is within the power of the General Assembly in forming

new counties, to take from one county as much territory as will reduce it below six hundred square miles, and supply the deficiency by changing other county lines in the same act, and adding thereby to the county so reduced, reported that the committee had maturely considered the said question, and instructed him to report, that in such action of the General Assembly, the committee are of opinion, there is no violation of the Constitution.

The report was concurred in, and

On motion by Mr. Stansel,

The further consideration of the bill was postponed until Saturday next, 12 o'clock, and made the special order for that hour.

Mr. Powell of Tuscaloosa, from same committee, reported favorably, with amendments, to the bill—

For the relief of Thomas Shea.

The amendments were adopted,

And the bill read a third time, under the suspension of the constitutional rule, and passed.

Yeas 27 ; nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Cooper, Deason, Drake, Felder, Forney, Foster, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, Winston, and Wood—27.

Mr. Powell, of Tuscaloosa, from the Judiciary Committee, reported adversely to the bill—

To amend an act to regulate judicial proceedings, approved February 26, 1866.

The consideration of the bill and report was postponed, and made the special order for to-morrow.

On motion by Mr. Drake, the reports from committees was suspended to consider the House bill—

To legalize the issue of certain bonds therein named ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Felder, from the Judiciary Committee, reported adversely to the following House bills—

To declare R. S. Gray, a citizen of Lee county ;

To declare Wm. H. Davis and Willis B. Butt, citizens of Bullock county ;

To make D. M. Bruner, a citizen of Dale county ;

To make James F. Armstrong a citizen of Montgomery county ;

To make Robert D. Thornton a citizen of Barbour county ;
 To make James M. Walton a citizen of Butler county.

As the committee are of opinion that the bills are unconstitutional, the report was concurred in.

Mr. Felder, from the Judiciary Committee, reported favorably to the bill, with an amendment,

To amend an act to define the relative duties of master and apprentice ;

Which was adopted.

Mr. Powell of Macon, moved to amend by proviso, as follows :

“Provided, no minor shall be apprenticed without notice.”

The bill and amendment were recommitted to the Judiciary Committee.

A message was received from the House by Mr. Clanton, announcing that the House concurs in the resolution of the Senate proposing that the Committees on State Printing of the two Houses be made a Joint Committee to consider the question of the rates to be paid for the public printing, &c.

Mr. Bulger, from the Joint Select Committee appointed to invite Ex-Gov. Parsons to address the General Assembly on the condition of the country, &c., at such time as may suit his convenience, reported that the committee had discharged the duty assigned them, and that Ex-Gov. Parsons proposes tomorrow, 12 o'clock M., as the time to deliver the address.

On motion by Mr. Deason, the Senate adjourned until tomorrow morning, 10 o'clock.

FRIDAY, January 25, 1865.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mathews.

Upon the call of the Districts, the following bills were introduced :

Mr. Gage, a bill to organize the Government Street Railroad Company, and extend the powers thereof ;

Mr. Powell of Macon, a bill to alter and amend an act to incorporate the Chunnenugee Female College of Macon county ;

Which were severally read twice under the suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Garrett, a bill to amend section 3925 of the Code ;

Mr. Barnes, a bill for the relief of defendants in judgments and decrees rendered since the 11th January, 1861 ;

Mr. Montgomery, a bill to establish two new election precincts in Clay county ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Woodliff, a bill to charter a ferry across Coosa river, at or near Cedar Bluff, in Cherokee county ;

Which was read twice under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported a substitute for the House bill—

To compel administrators, executors, guardians and trustees to settle their administration in certain cases in Pike county ;

The substitute was adopted ;

And the bill read a third time, under the suspension of the constitutional rule and passed.

Also, adversely to granting the petition of the Chattahoochee Manufacturing Company ;

On motion by Mr. Barnes, the consideration of the report was postponed and made the special order for Monday next, 12 o'clock.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To incorporate the Mobile Harbor and Railroad Company ;

To amend an act to establish the city court of Eufaula ;

To incorporate the Arbacoochee and North Alabama Gold Mining Company.

Message from the House by Mr. Clanton.

Mr. President:

The House has passed bills ;

To give the consent of the State of Alabama to a donation, made to the United States of a lot of land in the city of Mobile, for the purpose, of there constructing a National Cemetery, and also to the donation of a lot of land in the city of Montgomery for a similar purpose and to cede a jurisdiction of the same ;

To change the boundary lines between the counties of Marion and Fayette.

The House has amended as therein shown, and passed, Senate bill

To authorize executors and administrators to rent lands privately.

The House rejects Senate bill (amendatory) in relation to elec-

tions in certain cases, and to except clerks of the circuit from the provisions of said act.

The House has passed Senate bill to abolish fencing in certain portions of Montgomery county.

T. CLANTON, Clerk.

On motion by Mr. Garrett,

Leave of absence was granted to Mr. Powell of Macon;

Mr. Powell of Macon, from the Committee on Agriculture, reported favorably to the bill and amendment to encourage sheep raising in this State;

The amendment was adopted.

Mr. Powell of Tuscaloosa, moved to lay the bill on the table, which was lost.

Mr. Bulger moved to strike out the words "fire arms or other implements ;"

Which was lost.

Mr. Deason moved to amend as follows :

Provided, That such person or persons are notified by the owner of the land that such trespasses are not allowed ;

Which was lost.

Mr. Lindsay moved to postpone indefinitely the consideration of the bill;

Which was lost.

Yeas 13 ; nays 18.

YEAS—Messrs. Bell, Drake, Edwards, Felder, Forney, Jackson of Morgan, Jones, Kilpatrick, Lidsay, Norwood, Powell of Tuscaloosa, Winston, and Woodliff—13.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Cooper, Deason, Foster, Gage, Garrett, Huckakee, Jackson of Lauderdale, Mitchell, Montgomery, Moren, Powell of Macon, Stansel, Sykes and Wood—18.

Mr. Powell of Tuscaloosa, moved to amend as follows :

"Provided, That no prosecution shall be had unless instituted by the owner of the lands trespassed upon, and within twenty days after the trespass."

Mr. Cooper moved to amend by striking out twenty days and inserting "six months ;"

Which was lost,

And the amendment was adopted.

Mr. Huckabee moved—

To reconsider the vote adopting the amendment inserting the words "cattle or hogs" after the word "sheep," which was lost ;

Mr. Felder moved to amend as follows : "Provided, That no

person shall be subject to prosecution under this act who is in the employment of the person whose premises are trespassed on ;”

Which was lost.

Pending the consideration of the bill, the hour of 12 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of listening to the address of ex-Governor L. E. Parsons. The Senate repaired to the hall of the House, and at the conclusion of the address, returned to its chamber—

When, on motion by Mr. Kilpatrick—

The Senate adjourned until to-morrow morning 10 o'clock.

SATURDAY, January 26.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mathews.

Upon the call of the districts the following bills were introduced :

Mr. Gage, a bill—

To authorize the commissioners of revenue of Mobile county to elect a tax assessor for said county, and remove such assessor ;

Which was read three times under a suspension of the constitutional rule and passed.

Mr. Felder, a bill—

To exempt Eliza Ann Garrison, of Montgomery county, from any penalty for or on account of her marrying hereafter ;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Judiciary.

Mr. Garrett, a bill—

To authorize counties, cities and towns in this State to subscribe to the capital stock of railroad companies ;

Which was read twice under the suspension of the constitutional rule and referred to the Committee on Internal Improvements.

Mr. Garrett presented the annual report of the board of commissioners of the Alabama institution for the deaf and dumb for 1866 ;

Which was referred to the Committee on Finance and Taxation.

Mr. Barnes presented the petition of Jefferson Faulkner, for appropriation ;

Which was referred to the Committee on Accounts and Claims.

Mr. Powell a bill—

To incorporate the Tuscaloosa Savings Association ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

Reports from committees being in order,

The Senate proceeded to consider the report pending at the adjournment on yesterday.

Upon the bill to encourage sheep raising in this State,

The consideration of the bill and report was postponed until Monday next, 12 o'clock.

Mr. Kilpatrick, from the Judiciary Committee, reported adversely to the bill to extend the jurisdiction of justices of the peace in Tuscumbia beat, in Franklin county ;

The bill and report were laid on the table.

Mr. Garrett, from the Committee on Finance and Taxation, to which was referred a communication from the Hon. A. J. Walker, in relation to the publication of the decisions of the decisions of the Supreme Court, reported sundry bills, which the committee had agreed upon, with a view of simplifying the laws, and securing a more efficient administration of this branch of the public service.

The Senate proceeded to consider the bills *seriatim*.

The bills—

In relation to the sale of books, the property of the State ;

To repeal an act to provide for the printing and distribution of the decisions of the Supreme Court, approved December 12, 1865 ;

To repeal an act to provide for the safe keeping, distribution and exchange of the Supreme Court Reports, approved February 8, 1866, and to regulate the safe keeping, distribution and exchange of said reports ;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The bill to fix the pay of the Reporter of the decisions of the Supreme Court,

Was read twice, under the suspension of the constitutional rule.

Mr. Stansel moved to strike out "eighteen hundred dollars," and insert "twenty-five hundred dollars ;"

Which was lost.

And the bill was read a third time, under the suspension of the constitutional rule, and passed.

The bill in relation to the Reports of decisions of the Supreme Court,

Was read twice, under the suspension of the constitutional rule.

Mr. Lindsay moved to strike out "seven dollars," in section four;

Which carried.

Mr. Garrett moved to insert "six dollars;"

Which was lost.

—Mr. Stansel, moved to insert "five dollars ;"

Which was carried—

And the bill was read a third time under the suspension of the constitutional rule, and passed.

Mr. Deason, from the committee on Internal Improvements, asked to be discharged from the consideration of the bill—

To encourage Manufactories in this State ;

And recommended that it be recommitted to the committee on Finance and Taxation ;

The bill was recommitted as recommended.

Mr. Forney, from the Judiciary committee, reported favorably, with amendment to the bill—

To authorize the administrator of the estate of Samuel C. McGehee, deceased, of Talladega county, to sell lands belonging to said estate, privately ;

The amendments were adopted ;

And the bill read a third time under the suspension of the constitutional rule, and passed.

Mr. Stansel, from the Judiciary committee, reported a substitute for the bill—

To extend the time for reporting estates insolvent ;

The substitute was adopted :

Mr. Felder moved to postpone the further consideration of the bill until Monday next, 12 o'clock ;

Which was lost ;

And the bill was read a third time under a suspension of the constitutional rule, and passed.

Yeas 15, nays 12.

YEAS—Messrs. President, Barnes, Deason, Forney, Foster, Gage, Jackson of Lauderdale, Jackson of Morgan, Jones, Mitchell, Norwood, Powell of Tuscaloosa, Stansel, Winston, and Woodliff—15.

NAYS—Messrs. Bell, Bulger, Cooper, Drake, Edwards, Felder, Garrett, Kilpatrick, Montgomery, Moren, Sykes, and Wood—12.

Mr. Edwards, from the committee on County Boundaries, reported favorably to the bill—

To alter the boundary line between Dallas and Perry counties, and to annex a portion of Perry to Dallas county ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Yeas 27, nays 0.

YEAS—Messrs. President, Barnes, Bell, Bulger, Cooper, Deason, Drake, Edwards, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Norwood, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood and Woodliff—27.

Mr. Kilpatrick, from the Judiciary Committee, reported adversely to the House bill—

To confer additional powers upon special constables ;

Mr. Barnes, from the same committee, reported adversely to the bills—

To regulate judicial proceedings and to legalize a division and settlement of the estate of Abner Nolen, deceased, late of Coosa county ;

Mr. Cooper, from the same committee, reported adversely to the bill—

To amend an act to authorize the issuing of executions on certain judgments without a revival of such judgments, approved Dec. 15, 1865 ;

Mr. Forney, from same committee, reported adversely to the bills—

To impose additional duties on sheriffs ;

To amend section 391 of the Penal Code ;

Mr. Barnes, from same committee, reported adversely to the bills—

To regulate proceedings in the settlement of estates of deceased persons ;

To repeal an act to authorize the issuing of writs of attachments out of the courts of chancery ;

Mr. Forney, from the same committee, reported adversely to granting the petition of J. S. Porter, and fifty-one others, for the relief of Thos. J. Lester ;

Also, adversely to the bills—

In relation to appeals ;

To allow non-resident executors and administrators to qualify and act as such in the State ;

To extend the time within which certain endorsers, or their assignees, may bring suit ;

To authorize registers in chancery to administer oaths and to receive such compensation for other services as are allowed to justices of the peace ;

Which were severally concurred in.

The Senate proceeded to consider the special order, being the bill—

To form a new county to be called the county of King ;

The question pending being on the amendments reported by the committee,

The amendments were adopted.

Mr. Stansel moved to amend by striking out "King," as the name of the county, and insert "Hall."

The amendment was adopted ;

And the bill read a third time, under the suspension of the constitutional rule and passed.

Yeas, 29 ; nays, none.

YEAS—Messrs. President, Barnes, Bell, Boykin, Bulger, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood, and Woodliff—29.

All the other special orders were suspended for the purpose of allowing committees to report.

Mr. Cooper, from the Judiciary Committee, to which was referred the resolution instructing the committee to inquire into the expediency of passing a law to issue executions on all judgments which are liens by law, notwithstanding the death of either the plaintiff or defendant, or the insolvency of the defendant's estate ;

Reported it as inexpedient to legislate upon the subject.

Mr. Barnes, from the Judiciary Committee, in compliance with a petition, reported a bill—

To authorize D. E. Chambliss, of Butler county, to practice medicine without license ;

Which was read three times under the suspension of the constitutional rule, and the Senate refused to pass the bill.

YEAS 12, nays 18.

YEAS—Messrs. President, Barnes, Edwards, Felder, Forney, Huckabee, Jackson of Morgan, Jones, Kilpatrick, Powell of Tuscaloosa, Winston, and Wood—12.

NAYS—Messrs. Bell, Boykin, Bulger, Cooper, Deason, Drake, Foster, Gage, Garrett, Jackson of Lauderdale, Lindsay, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Stansel, Sykes and Woodliff—18.

On motion by Mr. Barnes, the consideration of the special order, the bill to authorize the mayor and aldermen of the city

of Tuscaloosa to build a bridge and establish a ferry across the Black Warrior river ;

Was suspended for the purpose of allowing committees to report.

Mr. Forney, from the Judiciary Committee, reported favorably to the bill to authorize the issue of executions on certain judgments without a revival.

Mr. Felder, from the Committee on Corporations, reported favorably to the House bill—

To amend an act to incorporate the Cahaba Insurance Company ;

Mr. Jones, from the Judiciary Committee, reported favorably to the bill to repeal an act to allow creditors without liens to file bills for the collection of debts in certain cases, approved February 24th, 1860 ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Foster, from the Committee on Insane Asylum, reported favorably to the bills—

To aid in the education of the blind in this State ;

To establish a school for blind persons.

The consideration of the bills was postponed, and made the special order for Wednesday next, 12 o'clock.

By leave, Mr. Lindsay introduced a bill to establish a new county from a portion of Franklin, to be called — ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on County Boundaries.

By leave, Mr. Garrett introduced a bill to provide for a settlement of the accounts between the county of Elmore and the counties out of which it was formed ;

Which was read twice, under the suspension of the constitutional rule, and referred to a Select Committee of three, to-wit : Messrs. Garrett, Bulger and Felder.

Mr. Felder, from the Joint Select Committee, to which was referred the report of John Whiting, commissioner and trustee for the State, reported that the committee had examined his account and vouchers, and found the same correct.

He has received the sum of \$66,996 80, and paid out for the State \$65,765 12, leaving a balance of \$1,231 68 in his hands.

The bonds due —, in 1865, have not been yet extended, for want of authority of law, but the commissioner has arranged all the preliminaries for that work. The committee find that all the duties of commissioner and trustee have been

discharged with the same fidelity which has distinguished his former administration of the financial interests committed to his charge.

The committee therefore beg leave to report the following bills :

To renew and extend the time of payment of certain bonds therein named ;

To register and cancel bonds of the State that have been redeemed.

The report was laid on the table, and the bills severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Forney, from the Judiciary Committee, reported adversely to the bill—

For the relief of John D. Drawhen, of Marengo county.

On motion by Mr. Powell, of Tuscaloosa, the bill and report were laid on the table.

By leave, Mr. Garrett offered the following preamble and resolution :

WHEREAS, in the organization of the new county of Elmore, an election was held in the different precincts of said county, in pursuance of the act establishing said county, for such officers as are or may be authorized by law to be elected by the people of each county of this State ; now, therefore,

Resolved, That the Judiciary Committee be instructed to inquire when the terms of the officers so elected, will expire under the laws of this State ; and whether any further legislation is necessary to pass any laws for the filling of such vacancies, with leave to report by bill or otherwise ;

Which were adopted.

By leave, Mr. Garrett offered the following resolution :

Resolved, That the Judiciary Committee be requested to prepare and report a bill fixing a uniform rate of fees of all registers in chancery, judges of probate, clerks, justices of the peace, sheriffs, and constables in this State ;

Which was adopted.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed Senate bills :

To authorize the probate judge of Tuscaloosa county to grant an order to the administrator of A. B. Dearing to sell real estate of said deceased ;

To legalize the marriage between James Swan and Sally Kilgore, of the county of Randolph ;

To amend an act to encourage immigration, and to encourage immigrant labor ;

To reorganize the Centreville Bridge company ;

To establish an election precinct at Honoraville, in the county of Crenshaw ;

To authorize the court of county commissioners of Tuscaloosa county to settle and adjust claims against said county, and to issue bonds to pay the same, approved January 23d, 1866 ;

To alter and amend the charter of the town of Camden, Wilcox county ;

To amend section one of an act entitled an act to charter the National Savings Institution of Mobile, approved February 23, 1866, and to change the name of said company to that of city Savings Bank of Mobile ;

To authorize E. H. Moren, guardian of Samuel D. Pitts, in the county of Bibb, to invest the funds of his said ward in real or personal property, and for other purposes ;

To legalize the appointment of Alexander H. Martin, of Jefferson county, as trustee under the wills of John and Sarah Martin ;

For the relief of James H. Wright, of the county of Chambers ;

To regulate the time of holding the chancery court in the 8th district of the southern chancery division at Montgomery ;

To incorporate the Gadsden Manufacturing and Mining Company ;

For the relief of Basil Manly Richards, of Tuscaloosa county ;

To authorize the Judge of Probate for Conecuh county to substitute lost records of judgments and decrees of courts and other records and papers.

To amend section 679 of the Penal Code :

To amend section 2566 of the Code of Alabama ;

To amend section 124 of the Penal Code ;

To give jurisdiction to the probate court of Marengo county over the estate of Benjamin F. Kelley, deceased ;

To amend an act passed on the 23d day of February, 1866, entitled an act to incorporate the Bienville Water Works Company ;

To provide for the demanding of the abstracts of titles in real actions.

The House has amended as therein shown,
Senate bills—

To authorize the probate judge of Pike county to grant letters of administration on the estate of Homer V. Howard to Elizabeth G. Howard, a citizen of Georgia ;

For the relief of James Hill, Jr., administrator of Robert Hill, deceased ;

To authorize Burgess Burnett to take out letters of guardianship in this State ;

The House has originated and passed bills—

To attach a part of township 6, range 17, in the county of Covington to the county of Crenshaw ;

For the relief of Amanda B. Crembly.

Message from His Excellency the Governor by his Private Secretary, Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

The change the time of holding the annual election of President and Board of Directors of the Tennessee and Coosa Railroad Company ;

To incorporate the Gold Ridge Mining Company ;

To ratify the action of the mayor and aldermen of the city of Tuscumbia in laying off and selling lots in said city ;

To incorporate the Central Mining and Manufacturing Company of Alabama ;

To incorporate the Mutual Insurance Company of Selma ;

To authorize William H. Northington, administrator of the estate of Lanceford Long deceased, to rent the land belonging to said estate, privately ;

To incorporate the town of Livingston, in Sumter county ;

To authorize judges of probate to appropriate, when necessary, a portion of the principal of the estate of wards for their education and support ;

To regulate the issuance and return of executions from the county courts ;

To authorize B. W. Groce, of the county of Greene, to sell certain trust lands in the county of Talladega ;

To amend section 1966 of the Code ;

To allow William S. Thorington to obtain license to practice law in all the courts of this State, if deemed qualified ;

To incorporate the Selma and Tuscaloosa Telegraph Company.

S. H. DIXON,
Private Secretary.

On motion by Mr. Garrett,

The Senate adjourned until Monday morning 10 o'clock.

MONDAY, January 28.

The Senate met pursuant to adjournment.

Upon the call of the districts the following bills were introduced :

Mr. Mitchell, a bill to incorporate the city of Eufaula;

Which was read twice under the suspension of the constitutional rule and referred to the Committee on Corporations.

Mr. Felder, a bill to authorize a patent to issue for lot No. 11 of section 16, township 18, range 16 ;

Which was read twice and referred to the Committee on 16th Sections.

Mr. Moren, a bill to authorize the administrator of the estate of Samuel W. Davidson, Sr., late of Bibb county, to settle the same with the heirs of said estate among themselves ;

Which was read three times under the suspension of the constitutional rule and passed.

Mr. Bulger, a bill to encourage agriculture ;

Mr. Stansel, a bill for the allowance of offsets in certain cases where statute of limitations is pleaded ;

Mr. Barnes, a bill to encourage agriculture by securing laborers their hire ;

Which were severally read twice under the suspension of the constitutional rule and referred to the Judiciary Committee.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To amend section 679 of the Penal Code ;

To provide for the demanding of abstracts of titles in real actions ;

To establish an election precinct in Honoraville, in the county of Crenshaw ;

For the relief of James H. Wright, of the county of Chambers ;

For the relief of Basil Manly Richards, of Tusealoosa county;

To regulate the time of holding the chancery courts in the 8th district of the southern chancery division.

By leave, Mr. Bulger offered the following resolution :

Resolved, That the Senate will entertain no proposition to make new counties introduced after to-morrow.

Mr. Foster moved to lay the resolution on the table.

On motion by Mr. Barnes,

The further consideration of the resolution was postponed until Saturday next

The Senate proceeded to consider the special order for 11 o'clock, being the bill—

To authorize the mayor and aldermen of the city of Tuscaloosa to build a bridge pontoon, and establish a ferry across the Black Warrior river ;

Mr. Barnes moved to refer the bill to the Judiciary Committee ;

Which was lost—yeas 14, nays 16.

YEAS—Messrs. President, Ashley, Barnes, Boykin, Cooper, Felder, Forney, Foster, Gage, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Stansel, and Wood—14.

NAYS—Messrs. Bell, Bulger, Deason, Drake, Edwards, Garrett, Jones, Kilpatrick, Lindsay, Mitchell, Moren, Norwood, Powell of Tuscaloosa, Sykes, and Woodliff—16.

Mr. Edwards, from the Committee on County Boundaries, reported favorably, with an amendment, to the bill to form a new county out of the county of Franklin, to be called the county of — ;

The amendment was adopted.

Mr. Lindsay moved to insert in the blank, as the name of the county, the name of Dixie ;

Which was adopted ;

And the bill was read three times, under the suspension of the constitutional rule, and passed—yeas 30, nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Norwood, Powell of Tuscaloosa, Stansel, Winston, Wood, and Woodliff—30.

The Senate proceeded to consider the next special order, being the bill—

For the relief of William Stringer, administrator of the estate of William A. Oden, deceased.

The question being on concurring in the adverse report of the Judiciary Committee,

The Senate refused to concur in the adverse report.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

The Senate proceeded to consider the next special order, being the bill—

To amend an act to regulate judicial proceedings, approved February 26, 1866 ;

The question pending being on concurring in the adverse report of the Judiciary Committee,

The Senate concurred in their report.

Message from the Governor by his Private Secretary, Mr. Dixon :

Mr. President :

His Excellency the Governor has approved the following Senate bills :

To incorporate the Mobile Harbor and Railroad company ;
To amend an act to establish the city court of Eufaula.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills :

Tendering protection to emigrants from the State ;

To authorize Balis E. Bourland, administrator of the estate of Terry Bradly, deceased, to sell the real estate of his intestate privately ;

To authorize the commissioners court of Elmore county to issue treasury notes to pay for building bridges, a jail, a court house and for other purposes ;

To divide Coffee county in four commissioner's districts ;

To authorize the Marshall of the town of Jacksonville to discharge the duties of bailiff in the county of Calhoun.

The Senate proceeded to consider the next special order being the bill to establish a system of internal improvement in the State of Alabama.

The Senate proceeded to consider the bill section by section ;

Mr. Cooper moved to amend section one in line four, by striking out the words "prepared for the iron" and inserting the words "finished and completed ;"

Mr. Forney moved to amend the amendment by adding the words "and fully equipped ;"

Which was adopted.

Yeas 19 ; nays 12.

YEAS—Messrs. President, Ashley, Cooper, Drake, Felder, Forney, Gage, Garrett, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Moren, Norwood, Stansel, Sykes, Wood, and Woodliff—19.

NAYS—Messrs. Barnes, Bell, Boykin, Deason, Edwards, Foster, Huckabee, Jackson of Lauderdale, Lindsay, Montgomery, Powell of Tuscaloosa, and Winston—12.

Mr. Felder moved to postpone indefinitely the consideration of the bill ;

Which was lost.

Yeas 6 ; Nays 25.

YEAS—Messrs. Felder, Forney, Jones, Lindsay, Norwood, and Wood—6.

NAYS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Cooper, Deason, Drake, Edwards, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Mitchell, Montgomery, Moren, Powell of Tuscaloosa, Stansel, Sykes, Winston, and Woodliff—25.

Pending the consideration of amendment, leave of absence was granted to Mr. Lindsay.

On motion by Mr. Garrett;

The Senate then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, January 29.

The Senate met pursuant to adjournment.

Upon the call of the counties, the following bills were introduced :

Mr. Ashley, a bill to authorize the Alabama and Florida Railroad Company of Florida, to purchase from the Alabama and Florida Railroad Company of Alabama, their road from the State line of Florida, to the town of Pollard, in the county of Conecuh, and to work, conduct and manage the same ;

Mr. Foster, a bill to provide for the permanent location of the court house of Choctaw county ;

Mr. Huckabee, a bill to enlarge the boundaries of the Canebrake Agricultural district ;

Mr. President, (Mr. Barnes in the Chair,) a bill, to incorporate the Fort Deposit Institute in Lowndes county ;

Mr. Barnes, a bill to incorporate the Ripville Manufacturing company ;

Mr. Sykes, a bill, to incorporate the town of Courtland, in Lawrence county ;

Mr. Norwood, a bill to legalize a certain guardianship therein named, and certain sales therein named ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. President, (Mr. Barnes in the chair,) a bill to change the boundary line between the counties of Butler and Crenshaw ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Yeas 29, nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Castens, Cooper, Deason, Drake, Edwards, Felder, Forney, Fos-

ter, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Norwood, Powell of Tuscaloosa, Stansel, Sykes, Wood and Woodliff—29.

Mr. Mitchell, a bill to amend "An act to incorporate the Eufaula Home Insurance Company," approved February, 9th, 1861 ;

Mr. Felder, a bill to incorporate the Montgomery Chamber of Commerce ;

Also, a bill to incorporate the Montgomery Mutual Building and Loan Association ;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the committee on Corporations.

Mr. Castens, a bill to authorize the issuing of a patent in a certain case ;

Which was read twice, under the suspension of the constitutional rule, and referred to the committee on 16th sections.

Mr. Huckabee a bill—

To facilitate the liquidation of the bank of Selma, which was read twice under the suspension of the constitutional rule and referred to the Committee on Banks and Banking.

Mr. Barnes, a bill—

To increase the jurisdiction of courts of probate, and to declare them courts of general jurisdiction ;

Mr. Forney, a bill—

In relation to appeals from probate court ;

Mr. Powell, of Tuscaloosa, a bill—

To fix the compensation of guardians on original settlements ;

Which were severally read twice, under the suspension of the constitutional rule and referred to the Judiciary Committee.

Message from the House by Mr. Clanton.

Mr. President :

The House has passed bills—

To regulate sheriff's sales in Dallas county.

In relation to the competency of Witnesses.

Regulating the terms of office for officers elected in new counties.

To amend an act to define the powers of justices of the peace in the counties of Dallas, Pickens, and other counties.

For the relief of Napoleon B. Rouse.

To compensate constables in the county of Walker.

To authorize Wilson McLemore, of Pike county, to receive and collect money for curing cancers.

To repeal all acts and laws incorporating the town of Jasper, in Walker county.

To increase the fees of certain officers of the county of Washington.

To amend section 1143 of the Code of Alabama so far as the same relates to the county of Limestone.

To annex a part of Dale county to Henry county.

Messrs. Clark of Mobile, Bourland and Leeper, are the House Committee under the resolution of the Senate appointing a committee under the provisions of section 34 of the Code.

T. CLANTON, Clerk.

Mr. Deason from the Committee on Enrolled Bills, reported the following as correctly enrolled.

To amend an act to authorize the court of county commissioners of Tuscaloosa county to settle and adjust claims against said county, and to issue bonds to pay the same, approved January 23, 1866 ;

To give jurisdiction to the probate court of Marengo county over the estate of Benj. F. Kelly, deceased ;

To abolish fencing in certain portions of Montgomery county ;

To authorize the probate judge of Tuscaloosa county to grant an order to the administrator of A. B. Dearing to sell real estate of said deceased ;

To legalize the marriage between James Swan and Sally Kilgore, of the county of Randolph ;

To amend section 174 of the Penal Code ;

To amend section 2566 of the Code of Alabama.

Message from his Excellency the Governor, by his private Secretary, Mr. Dixon :

Mr. President:

The Governor has approved bills of the following titles which originated in the Senate:

To amend section 679 of the Penal Code ;

For the relief of Basil Manly Richards, of Tuscaloosa county;

To establish an election precinct at Honoraville, in the county of Crenshaw ;

To provide for the demanding of abstracts of titles in real actions ;

For the relief of James H. Wright, of the county of Chambers ;

To relieve the trustees of LaGrange College, in Franklin county ;

To regulate the time of holding the chancery court in the 8th district of the Southern chancery division at Montgomery;

To authorize the Governor to settle with William O. Winston, of DeKalb county.

SAMUEL H. DIXON,
Private Secretary.

The following report was then submitted to the Senate :

The joint committee of the two Houses appointed to confer with the Governor, Secretary of State, Comptroller and State Treasurer, as to the financial condition of the Treasury, and if it be necessary to make any provision therefor, to meet the current expenses of the year, have made an examination into the subject and report the accompanying statement of liabilities and assets,

From which it appears that the amount of liabilities

is.\$567,837 70

And the amount in the Treasury is. 177,531 29

Leaving.....\$390,306 41

A portion of this deficiency may be supplied by a reservation of a part of the school fund, which it is supposed may be done, without detriment to the just claims for teaching last year, but this is somewhat uncertain as to amount.

There remains \$131,000 of 8 per cent. bonds authorized at the last session, not yet disposed of, but in the present unsettled state of things it may be difficult to raise money upon them.

This view of our financial condition, although discouraging, should be met with a determination to protect the credit of the State, and carry her fair name safely through this trying crisis.

The Committee recommend that the subject of reserving a part of the school fund, be committed at once to the Committee on Education, and that such steps may be immediately taken to secure a just settlement of the legal accounts against the school fund for the year 1866, and reserve any overplus to the State.

W. GARRETT,
Chairman of the Committee on the part of the Senate.

Which, upon being read, was referred to the Committee on Finance and Taxation.

Mr. Foster, from the Select Committee, reported favorably to the bill—

To furnish maimed soldiers with artificial limbs ;

The consideration of the bill was postponed, and made the special order for to-morrow, 11 o'clock.

Mr. Garrett, from the Select Committee, reported favorably to the bill—

To provide for the settlement of the accounts between the county of Elmore and the counties out of which it is formed ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

The Senate concurred in the amendments to the following Senate bills :

For the relief of James Hill, Jr., administrator of Robert Hill, deceased ;

To authorize the probate judge of Pike county to grant letters of administration on the estate of Homer V. Howard to Elizabeth G. Howard, a citizen of Georgia ;

To authorize Burgess Burnett to take out letters of guardianship in this State.

The Senate bill as amended by the House—

To authorize executors and administrators to rent lands privately ;

Was referred to the Judiciary Committee.

The consideration of the Special Orders, and the reports from committees, was suspended for the purpose of considering the messages from the House.

The House bills—

To repeal all acts incorporating the town of Jasper, in Walker county ;

For the relief of Napoleon B. Rouse ;

To authorize Wilson McLemore to receive and collect money for curing cancers ;

To compensate constables in Walker county ;

To provide for the proper representation of certain products of the State of Alabama in the Paris Universal Exposition ;

To legalize the action of court of county commissioners of Morgan county in a certain case therein named ;

To authorize Mary Hughes, of Franklin county, to make titles to a certain tract of land in Franklin county ;

To repeal an act to repeal section 2447 of the Code, as far as it applies to the counties of Blount and Marshall, and other

counties therein named, approved Nov. 24, 1861, so far as it applies to the county of Henry ;

For the relief of Chas. B. Williams, of Wilcox county ;

For the relief of the Sheriff of Russell county ;

To incorporate the Westville Male and Female Academy in Dale county ;

To remove the administration of the estate of James Albright from Montgomery to Shelby county ;

To empower the court of county commissioners of Choctaw county to furnish blanks for certain public officers, and to purchase furniture for the public offices of said county ;

To regulate sheriff sales in Dallas county ;

To authorize and require the court of county commissioners of Marshall county to issue a certificate or county claim to R. Hampton, late sheriff of said county ;

To authorize John P. Shaffer, county superintendent of Talladega county to reside in Clay county ;

To authorize the court of county commissioners of Barbour county to issue treasury notes and to pay for building bridges and for other county purposes ;

To authorize the court of county commissioners of Clarke county to borrow money ;

To allow the commissioners court of Tallapoosa county to levy a tax greater than 50 per cent. ;

To authorize T. M. Kirksley, of Greene county, to erect two gates across a public road in said county ;

To authorize Geo. Erwin, of Greene county to pay his taxes in Marengo county ;

To authorize the administrator of the estate of Harrell Hobdy, deceased, late of Pike county, to dispose of the real estate of said deceased at private sale ;

To authorize Sarah L. Watson, administratrix of the estate of Hugh P. Watson, deceased, to dispose of the property of said estate at private sale ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill to declare Francis M. Bassville, a liner between the counties of Pike and Bullock, a citizen of Pike county, and to change the line between said counties ;

Was read three times, under the suspension of the constitutional rule, and passed—yeas 26, nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Castens, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kil-

patrick, Mitchell, Montgomery, Moren, Norwood, Powell of Tuscaloosa, Stansel, Winston, and Woodliff—26.

The House joint resolutions of thanks to Louis Wyeth, of Marshall county,

Were adopted.

The House bills—

To remove the administration of the estate of William V. Barnes, deceased, from the county of Tallapoosa to the county of Macon ;

For the relief of Emma Dellett Desha, and for the relief of the heirs of Hindman Barney, deceased ;

To amend section 1143 of the Code, so far as the same relates to the county of Limestone ;

To increase the fees of the county officers of Washington county ;

Were severally read twice, under a suspension of the constitutional rule, and ordered to a third reading.

The House bill to prevent the court of county commissioners of Walker county from levying unlawful taxes,

Was read twice, under the suspension of the constitutional rule.

Mr. Sykes moved to amend as follows :

Insert after the words “for every violation of this act,” the words, “each member of said court voting for such illegal tax.”

The bill and amendment were referred to the Judiciary committee ;

The House bill—

Authorizing the sale of liquors in the town of Haw Ridge, in Dale county ;

Was read twice under the suspension of the constitutional rule, and referred to the committee on Propositions and Grievances ;

The House bill—

To require the payment of the State and county tax on licenses granted by the Mayor and Aldermen of the city of Huntsville, to be made to the judge of probate of the county of Madison ;

Was read twice under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

The House bill—

To change the boundary line between Marion and Fayette counties ;

To annex a part of Dale to Henry county ;

Were severally read twice, under the suspension of the con-

stitutional rule, and referred to the committee on County Boundaries.

The House bill—

To make R. B. Calvin, C. W. Cottingham, and T. L. Cottingham, liners between Lowndes and Crenshaw counties, citizens of Lowndes county ;

Was read twice and laid on the table on motion of Mr. President, (Mr. Kilpatrick in the Chair).

The House bills—

Prohibiting judges from practicing law in this State ;

To regulate and increase the fees of officers and persons in the counties of Marengo, Greene, Perry and Sumter ;

To regulate the terms for officers elected in new counties ;

To allow parties interested in settlements before probate courts to require the Judge of probate to have the testimony in such settlements taken down in writing ;

To amend section 139 of the Code, as to Marengo county ;

To amend section 2275 of the Code, so that interpreters may be paid ;

To provide pay for the grand and petit jurors, and court of county commissioners of Franklin county ;

To give the consent of the State of Alabama to a donation made to the United States of a lot of land in the city of Mobile, for the purpose of there constructing a National Cemetery ; and also, to the donation of a lot of land in the city of Montgomery, for a similar purpose, and to cede the jurisdiction over the same ;

To regulate the powers of the probate courts of this State, in reference to the sale of lands ;

To allow additional compensation to the judge of probate of Wilcox county ;

To regulate the practice in criminal cases ;

Requiring surviving partners to return inventories of the partnership effects to the court of probate ;

To amend an act to enlarge the jurisdiction of justices of the peace in cases of injury to stock by railroads, approved, December 7, 1866 ;

To amend an act to define powers of justices of the peace in Dallas, Pickens, and other counties ;

Were severally read twice under the suspension of the constitutional rule and referred to the Judiciary Committee ;

By leave, Mr. Edwards offered the following resolution :

Resolved, That the Judiciary Committee be and they are hereby instructed to reorganize the judicial circuits of this State, and report by bill or otherwise ;

Mr. Barnes moved to amend by striking out "Judiciary Committee" and inserting "a committee to be composed of one from each judicial circuit ;"

Which, with the resolution, was adopted ;

Messrs. Edwards, Moren, Felder, Jones, Sykes, Gage, Stansel, Boykin, Barnes, Forney, and Kilpatrick were appointed the committee ;

By leave, Mr. Deason offered the following resolution :

Resolved, (the House concurring) that the two Houses of the General Assembly will adjourn *sine die*, on Thursday, the 7th day of February next ;

Which was laid on the table ;

The Senate proceeded to consider the special order, being the bill—

To establish a system of internal improvement in the State of Alabama ;

The question pending, being on the amendment offered by Mr. Cooper as amended by the amendment offered by Mr. Forney, its consideration was postponed and made the special order for to-morrow half-past 1 o'clock ;

Mr. Stansel, from the Judiciary Committee, reported favorably to the House bill—

To amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior River opposite the town of Tuscaloosa, approved January 2, 1833 ;

Pending the consideration of which, on motion by Mr. Barnes—

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, January 30.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Baron.

Upon the call of the districts, the following bills were introduced :

Mr. Castens, a bill—

To authorize the commissioners court of Russell county to issue treasury notes ;

Mr. Moren, a bill—

To regulate the places of holding sheriff sales in Bibb county ;

Mr. Barnes, a bill—

To declare the common form of indictment under section

1059 of the Code, sufficient for violations of local law regulating the sale of spirituous liquors ;

Which were severally read three times under a suspension of the constitutional rule, and passed ;

Mr. Woodliff, a bill—

To repeal section 1556 of the Code ;

Which was read twice under the suspension of the constitutional rule and referred to the Judiciary Committee.

Message from the House by Mr. Clanton.

Mr. President :

The House rejects Senate bills—

To make Isabella and Caroline Mana Lanquier and Caroline M. Baldwin, free dealers.

And has passed Senate bill,

To repeal an act entitled an act to authorize the payment of the turnkey fees of jailors in this State, approved January 18, 1866.

The House has passed bills—

To amend an act to authorize John R. Hubbard, guardian of Thomas, Mahala and Henry Byrd, to dispose of a certain tract of land, approved January 31, 1866 ;

To prevent the release of persons who violate the Penal laws of this State ;

To amend section 1739 of the Code of Alabama, so as to effect a division of property under said section ;

To form a new county out of portions of Marion and Fayette, to be called the county of Jones ;

Authorizing formation of corporation for manufacturing, mining, mechanical, chemical, mercantile and insurance purposes, and making railroads, turnpikes, canals and water-works or any other purposes.

The House has amended as therein shown and passed,

The Senate bill—

To form a new county to be called the county of Hall.

Message from the Governor by his Private Secretary, Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles which originated in the Senate :

To amend section 174 of the Penal Code ;

To amend section 2566 of the Code of Alabama ;

To abolish fencing in certain portions of Montgomery county ;

To authorize the probate judge of Tuscaloosa county to grant and order to the administrator of A. B. Dearing to sell real estate of said deceased ;

To legalize the marriage between James Swan and Sallie Kilgore, of the county of Randolph ;

To give jurisdiction to the probate court of Marengo county over the estate of Benjamin F. Kelly, deceased ;

To amend an act to authorize the court of county commissioners of Tuscaloosa county to settle and adjust claims against said county, and to issue bonds to pay the same, approved January 23, 1866.

S. H. DIXON,
Private Sec'y.

I am also instructed to transmit the following message in writing :

EXECUTIVE DEPARTMENT, }
STATE OF ALABAMA, }
Montgomery, January 30, 1867. }

To the Senate :

In accordance with the provisions of the fifth section of "an act to establish a State hospital for insane persons in Alabama," approved February 6, 1852, I respectfully request the consent of the Senate to the re-appointment of the following officers for said hospital, the term for which they were formerly appointed having expired, viz :

For President of the Board of Trustees :

Dr. REUBEN SEARCY, of Tuscaloosa county ;

For Trustees :

Dr. JAMES GUILD, of Tuscaloosa county,

Rev. B. MANLEY, " "

Dr. A. G. MABRY, of Dallas county.

I also ask the Senate's consent to the appointment of Dr. E. H. Moren, of Bibb county, as a trustee, to fill a vacancy occasioned by the removal from the State of Dr. J. W. Payne.

R. M. PATTON.

On motion by Mr. Powell, of Tuscaloosa, the consideration of the special orders of the day was suspended for the purpose of considering the House bill—

To form a new county out of portions of Marion and Fayette, to be called the county of Jones.

The bill was read twice, under the suspension of the constitutional rule, and referred to the Committee on County Boundaries.

On motion by Mr. Huckabee, their further consideration was postponed for the purpose of considering the amendments of the House to the Senate bill--

To regulate the boundaries of Greene, Perry, Marengo, Tuscaloosa and Pickens, so as to form a new county to be called the county of Hale.

The amendments were severally concurred in.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

The Committee on Enrolled Bills, report the following bills as correctly enrolled :

To regulate the county boundaries of Greene, Perry, Marengo, Tuscaloosa and Pickens, so as to form a new county, to be called the county of Hale ;

To legalize the appointment of Alexander K. Martin, of Jefferson county, as trustee under the will of John and Sarah Martin ;

To authorize E. H. Moren, guardian of Samuel D. Pitts, in the county of Bibb, to invest the funds of his said ward in real or personal property, and for other purposes ;

To amend section 1 of an act entitled an act to charter the National Savings Institution of Mobile, approved February 23, 1866, and to change the name of said company to that of Citizens Savings Bank of Mobile.

The Senate proceeded to consider the special order, being the bill to establish a system of Internal Improvements in this State ;

The question pending being on the adoption of the amendment offered by Mr. Copper, as amended by the Senate,

Pending the discussion of which—

On motion by Mr. Garrett,

The Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, January 31st.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Barron.

Upon the call of the districts, the following bills were introduced :

Mr. Cooper, a bill to authorize married women to insure the lives of their husbands ;

Mr. President, (Mr. Barnes in the chair,) a bill to prescribe when pre-existing counties or organizations shall cease over territories comprising portions of new counties ;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the committee on Judiciary.

Mr. Bulger, a bill to change the time of holding the elections for members of Congress from this State ;

Which was read twice, under the suspension of the constitutional rule, and referred the Committee on Privileges and Elections ;

Mr. Norwood, a bill to empower the commissioners court of Jackson county to issue bonds and to levy a special tax ;

Mr. Jackson of Morgan, a bill to authorize the commissioners court of Morgan county to re-issue treasury notes ;

Which were severally read three times, under a suspension of the constitutional rule, and passed.

The Senate proceeded to consider the report of the committee on the House bill—

To amend and continue in force “an act to incorporate a company to build a bridge across the Black Warrior River, opposite the city of Tuscaloosa, approved Jan. 2, 1833.”

Mr. Powell of Tuscaloosa moved to amend by substitute ;

Which was lost.

Also, moved to amend by striking out three and inserting two, and striking out five and inserting four, where they occur in section —— of the bill ;

Which was lost.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

The special orders were suspended to allow committees to report.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported favorably to the bill—

To incorporate the Warrior Bridge Pontoon and Ferry company ;

From same committee, also, favorably to

The House bill—

To authorize persons to keep and use skiffs or other crafts therein named, for conveying foot passengers across the Black Warrior River, opposite the city of Tuscaloosa ;

Mr. Stansel, from same committee, reported favorably to the bill—

For the allowance of offsetts in certain cases where the statute of limitations is pleaded ;

Mr. Kilpatrick, from same committee, reported favorably to The House bill—

To authorize the probate court of Russell county to grant an application of Mrs. M. E. Whitaker for dower ;

Which were severally read a third time, under the suspension of the constitutional rule and passed.

Mr. Edwards, from the Committee on County Boundaries, reported favorably to the House bill—

To change the boundary line between the counties of Marion and Fayette ;

Which was read a third time under the suspension of the constitutional rules and passed. Yeas 32; nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood and Woodliff—32.

Also, favorably, from same committee, to the House bill—

To form a new county out of portions of Marion and Fayette, to be called the county of Jones ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Yeas, 32 ; nays, none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Slaughter, Stansel, Sykes, Winston, Wood and Woodliff—32.

Mr. Deason, from the Committee on Internal Improvements, reported favorably to the House bill—

To incorporate the Memphis and Elyton Railroad Company ;

The consideration of which was postponed to Wednesday next, 11 o'clock, and made the special order for that hour.

Mr. Moren, from the Committee on Accounts and claims, reported adversely to the petition of Jefferson Falkner, for appropriations, &c. ;

Which was concurred in.

Also, from same committee, a bill for the relief of Lehman & Brother, of Montgomery county ;

The consideration of which was postponed until Thursday next, half past ten o'clock, and made the special order for that hour.

Mr. Kilpatrick, from the Judiciary Committee, reported adversely to the bill to encourage agriculture.

The consideration of the bill and report was postponed until Thursday next, 12 o'clock, and made the special order for that hour.

Also, adversely to the resolution requesting the Judiciary Committee to inquire into the expediency of amending the stay law, so that the same shall not apply to proceedings against parties failing to work on public roads.

The report was concurred in.

Also, from same committee, substitute for the bill—

To reorganize the 11th judicial circuit, and fix the time for holding the courts of the same.

The bill and substitute was laid on the table.

By leave, Mr. Garrett introduced a bill in relation to the interest upon the State debt falling due in the months of May, June and July;

To authorize the use by the State of certain money arising from a tax upon land under the fifth section of an act to assume and provide for the payment of the tax upon real estate, imposed by act of Congress of the 5th of August, 1861 ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported favorably to the bill—

To charter a ferry across Coosa River, at or near Cedar Bluff, in Cherokee county ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Cooper, from the Select Committee, reported favorably to the bill—

To authorize the commissioners to revise the Code, to employ an assistant in the completion of the work.

Mr. Garrett moved to amend the bill by striking out all that relates to the compensation of the assistant, and inserting the following :

Provided, that the services rendered under and by authority of this act shall be paid for by the commissioner to revise the Code ;

Pending the consideration of which, on motion by Mr. Powell of Tuscaloosa, the consideration of the bill was indefinitely postponed.

Yeas 21 ; nays 10.

YEAS—Messrs. President, Bell, Boykin, Bulger, Castens, Deason, Drake, Edwards, Foster, Gage, Garrett, Huckabee, Jackson

of Morgan, Jones, Mitchell, Montgomery, Powell of M., Powell of Tuscaloosa, Sykes, Winston, and Woodliff—21.

NAYS—Messrs. Ashley, Barnes, Cooper, Felder, Forney, Jackson of Lauderdale, Kilpatrick, Moren, Norwood, and Stansel—10.

Message from the House by Mr. Clanton :

Mr. President :

The House has originated and passed the following bills :

To amend paragraph 391 of the Penal Code ;

To confer additional powers on Solicitors ;

To provide for the improvement of River, Harbor and Bay of Mobile ;

To regulate the fees of county officers, &c., of Coffee county ;

To remove obstructions in Pea River, in Coffee county ;

To authorize the commissioners court of Lee county, to issue treasury notes ;

To revive judgment in certain cases ;

To define the duties of probate judges in certain cases ;

To authorize the executor of H. P. Croome, and the administratrix of the estate of Bryan Croome of Sumter county, to make land titles ;

To remove estate of W. S. Bailey from Macon county, and Isaac Ross, from Tallapoosa county to the county of Lee ;

To authorize the court of county commissioners of Dallas county, to issue bonds ;

To require the chancellor to hold two terms of the chancery court each year, in the county of Limestone ;

Approving consolidation of the Dalton and Jacksonville railroad company, with other companies therein named ; and to authorize the consolidated company to adopt a name and charter, and to act under the same ;

The House concurs in the Senate Joint Resolutions that the committee on Public Printing of the two Houses meet jointly for the purposes stated in the resolution.

T. CLANTON, Clerk.

On motion by Mr. Barnes ;

The Senate then adjourned until to-morrow morning, 10 o'clock.

FRIDAY, February 1.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Barron.

Upon the call of the Districts the following bills were introduced :

Mr. Gage, a bill in relation to roads, bridges and ferries in Mobile county ;

Mr. Felder, a bill to incorporate the Hebrew Ladies Benevolent Society ;

Mr. Powell of Tuscaloosa, a bill to authorize the mayor and aldermen of the city of Tuscaloosa, to issue the bonds of the city for the purposes therein named ;

Mr. Stansel, a bill to amend an act entitled an act to amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior river, opposite the city of Tuscaloosa, approved January 2, 1833 ;

Which were severally read three times under the suspension of the constitutional rule, and passed.

Mr. Felder a bill to incorporate the Eureka Mining and Manufacturing Company of Alabama ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Foster, a bill to regulate the value of contracts made prior to the 1st day of May, 1865 ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Deason from the Committee on Corporations, reported favorably to the bills—

To incorporate the city of Eufaula ;

To amend an act to incorporate the Eufaula Home Insurance Company, approved February 9, 1861 ;

Which were severally read a third time, under the suspension of the constitutional rule, and passed.

Mr. Deason from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act for the relief of James Hill, Jr., administrator of Robert Hill, deceased ;

To authorize the judge of probate for Conecuh county to substitute lost records of judgment and decrees of court and other records and papers ;

To incorporate the Gadsden Manufacturing and Mining Company ;

To amend an act passed on the 23d day of February, 1866, entitled an act to incorporate the Bienville Water Works Company ;

To repeal an act entitled an act to authorize the payment of the turnkey fees of jailors in this State, approved January 18, 1866.

Message from the House by Mr. Clanton.

Mr. President:

The House has passed bills:

To amend section 2298 of the Code;

To authorize the town council of the town of Greensboro, in Greene county, to issue its bonds, and to subscribe to the capital stock of railroad companies, and levy and collect taxes to pay the principal and interest of the same;

To increase the fees of county officers of the county of Baldwin;

To give the commissioners court of the county of Chambers full and complete control over the funds of said county;

To incorporate the town of Dadeville, in Tallapoosa county;

To amend section 186 of the Penal Code of Alabama;

To regulate the distribution of the Revised Code;

To repeal, in part, an act to prohibit the sale of spirituous liquors, at sundry places, in Marengo county;

In relation to the competency of witnesses.

The House has passed Senate bills:

To legalize the action of the commissioners court of the county of Morgan, upon certain matters therein contained;

To authorize the Secretary of State to furnish the judge of the 4th judicial circuit with Reports of the Supreme Court, in place of those lost during the war;

To renew and extend the time of payment of certain bonds therein named;

To regulate the time for the election of the State Printer, and the term of his office;

And has amended, as therein shown, the bill—

To amend sections 16 and 22 of an act to incorporate the New Orleans, Mobile and Chattanooga Railroad company, approved November 24, 1866, and to add additional sections thereto.

T. CLANTON, Clerk.

Message was received from His Excellency the Governor, by his Private Secretary, Mr. Dixon, announcing that His Excellency had approved bills of the following titles, that originated in the Senate:

To regulate the county boundaries of Greene, Perry, Ma-

rengo, Tuscaloosa and Pickens, so as to form a new county, to be called the county of Hale.

Mr. Kilpatrick, from the Judiciary Committee, reported adversely to the bill to compel the cashiers of the chartered banks of this State to protest their bills, when presented for redemption ;

Pending the consideration, the hour of half past ten o'clock arrived ;

And the Senate proceeded to consider the special order for that hour, being the bill to establish a system of internal improvement in this State ;

The question being on Mr. Cooper's motion to amend by striking from the bill the words "prepared for the iron," and inserting "finished, completed and equipped ;"

Which was adopted.

Mr. Cooper moved to amend by striking out the word "ten" in the 8th line and inserting "twenty ;"

Which was adopted.

Yeas 17 ; nays 13.

YEAS—Messrs. Ashley, Cooper, Drake, Edwards, Felder, Forney, Gage, Huckabee, Jones, Kilpatrick, Mitchell, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, and Wood—17.

NAYS—Messrs. President, Bell, Boykin, Bulger, Castens, Deason, Foster, Garrett, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Winston, and Woodliff—13.

Also, to amend by striking out the word "ten" in the 13th and 14th lines and inserting the word "twenty ;"

Which was adopted.

Also, to amend by inserting after the word "miles" in the 20th line the following :

"Nor to any road except of a public or general character ;"

Which was lost.

Also, to amend by striking out in lines 24 and 25 the words "prepared for the iron," and inserting "finished, completed and equipped ;"

Which was adopted.

Mr. Sykes moved to amend by striking out in lines 3 and 4, the words "or that may hereafter be incorporated by the General Assembly of this State ;"

Which was lost.

Mr. Garrett moved to fill the blanks as to the amount of bonds per mile to be endorsed by the State with the word "twelve ;"

Which was carried.

Mr. Powell of Macon, moved to amend by proviso as follows :

“Provided further, That the President and a majority of the Board of Directors of any Railroad Company, availing themselves of the benefits of this act, shall be citizens of this State, and have the place of business of the same within the limits thereof;”

Which was adopted.

Mr. Winston moved to strike out the words “in this State,” in lines 28 and 29 ;

Which was lost.

Mr. President (Mr. Jones in the chair), moved to reconsider the vote refusing to adopt the amendment offered by Mr. Sykes ;

Which was lost.

Mr. President moved to amend by proviso as follows :

“Provided further, That no bonds endorsed under the provisions of this act shall be sold for less than 90 cent in the dollar ;”

Mr. Bulger moved to amend the amendment by striking out “90 cents in the dollar,” and inserting the words at par ;”

Which was lost.

And the amendment was adopted.

The Senate proceeded to consider section 2.

On motion by Mr. President the word “ten” in line 2 was stricken out and “twenty” inserted.

The blank was filled with “twelve.”

In section 4 was filled with “eight.”

Mr. Jackson of Morgan, moved to amend section 3 by substitute.

Mr. Powell of Tuscaloosa moved to add the following words to the substitute : “In addition to the aid given by the 1st section of this act ;”

Which was adopted ;

And the substitute, as amended was adopted.

Mr. Cooper moved to amend section 3 by striking out “one hundred dollars” and inserting “sixty dollars.”

Mr. Forney moved to amend section 5 by inserting after the word “road,” in the 6th line, the words “or sold or disposed of for a less sum than ninety cents in the dollar ;”

Which was adopted.

Mr. Montgomery moved to amend by striking out the word “construction ;”

Which was lost.

Mr. Powell of Macon, moved to amend by inserting after the words “such company,” in the 20th line of section 6, the

words "*pro rata* to the amount of stock owned by them respectively ;

Which was lost.

Mr. Forney moved to amend by inserting after the word "act," in the 5th line, the following : " Or shall have sold or disposed of the bonds endorsed by the Governor for less sum than ninety cents in the dollar."

Also, insert after the word "act," in the 10th line, the following : " Or that said bonds shall have been sold or disposed of for a less sum than ninety cents in the dollar."

Also insert after the word " company," in the 18th line, the following : " Or which were sold or disposed of for a less sum than ninety cents in the dollar."

The amendments were severally adopted.

The 1st blank in section 11 was filled with the word "five," the 2d with the word "two."

Mr. President moved to add to section 13 the following : "To be filed in the office of the Comptroller of Public Accounts ;"

Which was adopted.

Mr. Huckabee moved to strike out in section 14 the words "eighty tons to the mile," and insert " fifty pounds to the yard ;"

Which carried.

Mr. Cooper moved to amend section 17 by inserting after the word "equipped," in the 3d line, the following : " And no liens or mortgages thereon at the time of application ;"

Which was adopted.

The blank in the 5th line was filled with the word "first." In 19th section, line 2, with "three."

On motion by Mr. Powell of Tuscaloosa, " five" was stricken out in line 4th, and "seven" inserted.

Mr. Jackson of Morgan, moved to strike out the words "two directors," in line 3d of section 20, and insert : " A number of directors in proportion to the directors of the railroad receiving the benefits of this act as the bonds endorsed by the State bears to the stock subscribed to said railroad ;"

Which was lost.

Mr. Cooper moved to amend by proviso as follows : " Provided, That no stockholders in said railroad shall be appointed a director on the part of the State ;"

Which was lost.

Mr. Felder moved to amend by proviso at the end of the last section, as follows :

Provided, That this act shall not go into effect until the

question of "aid" or "no aid" to railroads shall be submitted to the people for ratification or rejection, at the next general election ;

Which was laid on the table—yeas 18, nays 11.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Cooper, Deason, Edwards, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, and Winston—18.

NAYS—Messrs. Castens, Drake, Felder, Forney, Foster, Gage, Jones, Moren, Sykes, Wood, and Woodliff—11.

The constitutional rule was suspended, and the bill ordered to a third reading forthwith, and its further consideration postponed and made the special order for to-morrow half past ten o'clock.

On motion by Mr. Moren,

Leave of absence was granted to Mr. Huckabee, for a few days.

Mr. Barnes, from the Judiciary Committee, reported favorably to the bill to organize a chancery district of certain counties, therein named ;

The bill was read a third time, under a suspension of the constitutional rule, and passed.

On motion by Mr. Forney,

The regular order of business was suspended to take from the House messages the bill—

Approving the consolidation of the Dalton and Jacksonville Railroad company with other companies, therein named, and to authorize the consolidated company to adopt a name and charter, and to act under the same ;

The bill was read three times, under the suspension of the constitutional rule, and passed.

The Senate then adjourned until to-morrow morning, 10 o'clock.

SATURDAY, February 2d.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Barron.

On motion by Mr. Powell of Tuscaloosa,

The call of the districts was suspended, to allow him to offer the following resolution :

Resolved, the House concurring, that the two Houses of the General Assembly will adjourn *sine die* on Thursday, the 14th instant.

Mr. Kilpatrick moved to lay the resolution on the table ;
Which was lost.

Mr. Kilpatrick moved to strike out "Thursday, the 14th,"
and insert Friday, the 18th,"

Which was lost, and the resolution was adopted.

Upon the call of the districts, the following bills were introduced :

Mr. Powell of Macon, a bill to regulate the pay of county commissioners of the county of Bullock ;

Mr. Felder, a bill to pay M. P. Blue, for a certain map ;

Mr. Foster, a bill to amend " An act to incorporate the town of Livingston in Sumter county ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Felder, a bill to amend section 2334 of the Code ;

Mr. Cooper, a bill to define the authority of the clerks of the city court of Selma ;

Mr. Garrett, a bill to fix the fees to be charged and collected by the judge of probate of Elmore county ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Montgomery, a bill to change the county line between the counties of Clay and Talladega ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Yeas 29 ; nays 0.

YEAS—Messrs. President, Ashley, Boykin, Bulger, Castens, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, Winston, and Wood—29.

Also, a bill to change the line between Clay and Calhoun counties, and add certain sections of land therein named, to Cleburne county ;

Which was read three times under the suspension of the constitutional rule, and passed ;

YEAS 28, nays 0.

YEAS—Messrs. President, Ashley, Boykin, Bulger, Castens, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood, and Woodliff—28.

Also, a bill to add a portion of the county of Cleburne to the county of Talladega;

Which was read three times, under a suspension of the constitutional rule, and passed;

Yeas 28, nays 1.

YEAS—Messrs. President, Ashley, Boykin, Bulger, Castens, Cooper, Deason, Drake, Felder, Foster, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Powell of Morgan, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood, and Woodliff—28.

NAYS—Mr. Bell—1.

Mr. Winston, a bill for the relief of Charles Nichols, of Marshall county;

Which was read twice, under the suspension of the constitutional rule;

Mr. Sykes, moved to amend, by inserting the names of Jonas Gibson, and Jonathan Walker, of Winston county;

The bill and amendment were referred to the Committee on Finance and Taxation.

Mr. Drake, a bill to amend section 3243 and 3244, and to repeal section 3245 of the Code;

Which was read twice, under the suspension of the constitutional rule, and, on motion by Mr. Garrett, was laid on the table.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

To renew and extend the time of payment of certain bonds therein named;

To reorganize the Centreville Bridge Company;

To legalize the action of the commissioners' court of the county of Morgan upon certain matters therein contained;

To authorize the Secretary of State to furnish the judge of the 4th judicial circuit with reports of the supreme court, in place of those lost during the war;

To encourage immigration, and to encourage immigrant labor;

To authorize the probate judge of Pike county to grant letters of administration on the estate of Homer V. Howard to Elizabeth G. Howard, a citizen of Georgia;

To regulate the time for the election of the State printer, and the term of his office;

To alter and amend the charter of the town of Camden, Wilcox county.

The Senate proceeded to consider the Special Order, being the bill—

To establish a system of internal improvements in the State of Alabama.

The question being on the passage of the bill,

Mr. Norwood moved to amend by engrossed ryder, as follows:

Provided, that any railroad availing itself of the provisions of this act shall not receive a greater amount of freight than five cents per mile upon each and every hundred pounds so transported ;

Which was lost.

Mr. Huckabee moved to amend by adding a section by way of engrossed ryder ;

Which was read twice.

Mr. Ashley moved to strike out the words “and all State officers traveling in the business of the State.”

Mr. Garrett moved to lay the ryder and amendment on the table ;

Which was lost.

The amendment was adopted, and the ryder read a third time and passed.

The bill was passed. Yeas 23 ; nays 9.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Cooper, Deason, Edwards, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Mitchell, Montgomery, Powell of Tuscaloosa, Stansel, Winston and Woodliff—23.

NAYS—Messrs. Castens, Drake, Felder, Forney, Jones, Moren, Norwood, Sykes and Wood—9.

The Senate suspended the consideration of the special orders, in order to receive reports from Standing Committees.

The Senate proceeded to consider the adverse report of the Committee on the Judiciary pending at adjournment on yesterday, upon the bill—

To compel cashiers of chartered banks to protest their bills when presented for redemption.

The report was concurred in.

Mr. Sykes, from the Committee on Finance and Taxation, reported a bill to provide for the just and legal distribution of the school fund for the years 1865 and 1866 ;

Which was read twice under the suspension of the constitutional rule ;

Pending the discussion of which, on motion by Mr. Moren, The Senate adjourned until to-morrow morning 10 o'clock.

MONDAY, February 4.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Baron.

Upon the call of the districts the following petition was presented and bills introduced :

Mr. Kilpatrick, a petition from Thos. H. Watts, J. H. Clanton, L. E. Parsons, A. L. O'Brien, and E. J. Fitzpatrick, on the subject of obtaining additional labor to cultivate the soil, and developing the other natural resources of the State, and asking the aid and coöperation of the General Assembly ;

Which was referred to a select committee of three, to-wit : Messrs. Kilpatrick, Powell of Macon and Sykes.

Mr. Mitchell, a bill—

To authorize the city council of Eufaula to provide for the building of the city jail ;

Which was read twice under a suspension of the constitutional rule and laid on the table.

Mr. Felder, a bill—

To authorize the administratrix of David C. Neal, deceased, to sell land at private sale ;

Mr. Norwoo, a bill—

To define the vagrant laws of the State ;

Mr. Garrett, a bill—

To provide for filling certain offices, *ad interim* ;

Which were severally read twice under the suspension of the constitutional rule and referred to the Judiciary Committee.

Mr. President (Mr. Sykes in the chair) a bill—

To incorporate the Pioneer Fire Company of Greenville ;

Mr. Barnes, a bill—

To incorporate the Notasulga Manufacturing Company ;

Mr. Cooper, a bill—

To amend an act to incorporate the Wilcox Monumental Association ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Message from the House by Mr. Clanton.

Mr. President :

The House has passed bills :

For the relief of Mary Jane Jones, of Tuscaloosa county ;

To secure the State of Alabama the benefits of an act of Congress donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts ;

To extend the time for returns and settlements of tax collectors ;

To authorize the commissioners court of Dale county to issue treasury notes.

The House has rejected Senate bills :

For the relief of the sheriff of Pickens county ;

For the relief of S. B. Hudson, sheriff of Lauderdale county, and to E. C. McWilliams, sheriff of Wilcox county.

T. CLANTON, Clerk.

The consideration of the special orders of the day was postponed, for the purpose of considering the messages from the House.

The House bill to authorize the commissioners court of Elmore county to issue treasury notes, to pay for building bridges and a jail, court house, and for other purposes ;

Was read twice, under a suspension of the constitutional rule, and referred to a select committee, composed of Messrs. Felder, Bulger and Garrett.

The House joint resolution, tendering protection to immigrants from other States,

Was read and referred to the Committee on Federal Relations.

The House bill to secure to the State of Alabama the benefits of an act of Congress donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,

Was read twice, under the suspension of the constitutional rule, and referred to a select committee, to which was referred the Governor's message on the subject.

The House bill to incorporate the town of Dadeville, in Tallapoosa county,

Was read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bill to repeal, in part, an act to prohibit the sale of spirituous liquors, at sundry places, in Marengo county,

Was read twice, under the suspension of the constitutional rule, and postponed and made the special order for Friday next.

The House bill to provide for the improvement of the river, harbor and bay of Mobile,

Was read a first time, and ordered to a second reading.

The House bills—

To regulate the distribution of the revised Code ;

To extend the time for the return and settlement of tax collectors ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The House bills—

To amend section 186 of the Penal Code ;

In relation to the competency of witness ;

To define the duties of probate judge in certain cases ;

To revise judgments in certain cases ;

To prevent the release of persons who violate the penal laws of the State ;

To amend section 1739 of the Code, so far as to effect the division of property under said section ;

To amend paragraph 391 of the Penal Code ;

To confer additional powers on solicitors ;

To regulate the fees of county officers of Coffee county ;

To authorize the commissioners court of Lee county to issue treasury notes ;

To amend section 2298 of the Code ;

To increase the fees of the county officers of Baldwin county ;

To amend section 1 of an act to authorize John R. Hubbard, guardian of Thomas, Mahala and Henry Byrd, to dispose of a certain tract of land, approved January 31, 1866 ;

Authorizing the formation of corporations for manufacturing, mining, mechanical, chemical, mercantile and insurance purposes, and making railroads, turnpikes, canals and water works, or any other purpose ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill—

To attach a part of township 6, range 17, in the county of Covington, to the county of Crenshaw ;

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee, with instructions to report whether the General Assembly has the constitutional power to alter the boundaries of counties so as to reduce the population of any county affected by the alteration below the existing ratio of representation.

The House bills—

To give the commissioners court of Chambers county full and complete control over the funds of said county ;

To require the chancellor to hold two terms of the chancery court each year in Limestone county ;

To authorize the court of county commissioners of Dallas county to issue bonds ;

To remove the estate of W. S. Baily from Macon county, and Isaac Ross from Tallapoosa to Lee county ;

To authorize the commissioners court of Montgomery county to levy a special tax ;

To authorize the executor of N. P. Croom, and the administratrix of the estate of Bryant Croom, of Sumpter, to make land titles.

To remove obstructions in Pea river, in Coffee county ;

To divide Coffee county into four commissioners districts ;

For the relief of Amanda B. Crumbly ;

To authorize the commissioners court of Dale county to issue treasury notes ;

For the relief of Mary Jane Jones, of Tuscaloosa county ;

To authorize B. E. Bourland, administrator of the estate of Terry Bradley, deceased, to sell the real estate of his intestate privately ;

To authorize the town council of the town of Greensboro in Hale county, to issue its bond, and to subscribe to the capital stock of railroad companies ; to levy and collect taxes to pay the principal and interest of the same ;

To authorize the marshal of the town of Jacksonville to discharge the duties of bailiff in Calhoun county ;

Were severally read three times under the suspension of the constitutional rule and passed.

Mr. Bulger, by leave, introduced a bill—

Authorizing the comptroller to employ counsel in a certain case therein named, pending before the supreme court ;

Which was read twice under the suspension of the constitutional rule.

Mr. Barnes moved to refer the bill to the Judiciary Committee ;

Which was lost—Yeas, 7 ; nays, 22.

YEAS—Messrs. Barnes, Forney, Jackson of Morgan, Kilpatrick, Mitchell, Norwood, and Stansel—7.

NAYS—Messrs. President, Ashley, Bell, Boykin, Bulger, Castens, Cooper, Drake, Edwards, Felder, Foster, Gage, Garrett, Jackson of Lauderdale, Jones, Montgomery, Moren, Powell, of Tuscaloosa Sykes, Winston, Wood, and Woodliff—22.

Mr. Stansel moved to amend by proviso, as follows :

Provided that the amount authorized to be paid under this act shall not exceed one hundred dollars ;

Which, on motion by Mr. Cooper, was laid on the table ;

And the bill was read a third time under the suspension of the constitutional rule and passed.

Ordered that the bill be ordered forthwith to the House.

On motion by Mr. Powell of Tuscaloosa, the bill—

For the relief of John D. Drawhen, of Marengo county, was taken from the table, the question pending being on concurring in the adverse report of the Judiciary Committee.

On motion by Mr. Barnes,

The report was laid on the table;

Mr. Powell of Tuscaloosa, moved to amend the substitute;

Mr. Kilpatrick, moved to amend the substitute, by inserting the name of Martha Davis, of Clarke county;

Which was adopted.

Mr. Moren, moved to insert the name of J. A. P. Wilkinson, of Perry county;

Mr. Stansel, moved to insert the name of John P. Sims, of Pickens county;

Which were adopted.

Mr. Edwards, moved to lay the bill and substitute on the table;

Which was lost.

Mr. Garrett, moved to insert the name of John Thompson, of Coosa county;

Mr. Barnes, moved to insert the name of Alexander C. Carter, of Tallapoosa county;

Pending the discussion of which,

On motion by Mr. Grrett—

The Senate then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, February 5.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Petrie.

Upon the call of the districts the following bills were introduced:

Mr. Ashley, a bill to incorporate the Pensacola Railroad Contracting Company;

Mr. Barnes, a bill to repeal "An act concerning Vagrants and Vagrancy";

Mr. Stansel, a bill to relieve the tax payers of Pickens county;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the committee on Corporations;

Mr. Powell of Macon, a bill to authorize the commissioners court of Bullock county, to issue treasury notes for the pur-

pose of building a court house and jail, and repairing bridges, and for other purposes ;

Which was read twice, under the suspension of the constitutional rule, and referred to a select committee composed of Messrs. Felder, Powell of Macon, and Mitchell.

Mr. Felder, a bill to amend section 2290 of the Code ;

Mr. Cooper, a bill to prescribe the rate of compensation of the sheriff and coroners of Montgomery and Dallas, in cases where attachments are levied by them, and the property replevied, or the case settled without a sale ;

Were severally read twice under the suspension of the constitutional rule and referred to the Judiciary Committee ;

Mr. Powell of Tuscaloosa, presented an account of John White, A. Q. M. of Tuscaloosa county, accompanied with a letter of John S. Garvin ;

Which was referred to the committee on Accounts and Claims.

Mr. Jones presented an account of T. D. Enis ;

Which was referred to the Committee on Accounts and Claims.

Mr. Powell of Tuscaloosa, a communication of T. P. Lewis, of Tuscaloosa county ;

Which was referred to the Committee on Accounts and Claims.

Mr. Stansel presented an account of J. C. Morehead ;

Which was referred to the Committee on Accounts and Claims.

Mr. Norwood presented petitions of citizens of Jackson county, on the subject of forming a new county ;

Which were referred to the Committee on County Boundaries.

The consideration of the special orders was suspended for the purpose of receiving reports from committees.

The Senate proceeded to consider the report pending at adjournment on Saturday last, on the bill to provide for the just and legal distribution of the school fund for the years 1865 and 1866.

Its consideration was postponed and made the special order for to-morrow 11 o'clock.

The bill pending at adjournment on yesterday for the relief of John D. Drawhen, of Marengo county ;

Was postponed until to-morrow.

Mr. Deason, from the Committee on Corporations, reported favorably to the bills to incorporate the Montgomery Mutual Building and Loan Association ;

To incorporate the Montgomery Chamber of Commerce ;
 Mr. Kilpatrick from the Judiciary Committee, reported favorably to the House bills—

To authorize married women to insure the lives of their husbands ;

To regulate the powers of the probate courts of this State in reference to the sale of lands ;

Mr. Jackson of Morgan, from the Committee on Corporations, reported favorably to the House bill—

To incorporate the Montgomery and Picket Springs Gravel Road Company ;

Mr. Sykes from the Committee on Banks and Banking, reported favorably to the bill to facilitate the liquidation of the Bank of Selma ;

All of which were severally read a third time, under the suspension of the constitutional rule, and passed.

Mr. Garrett from the Committee on Finance and Taxation, reported adversely to the bill to encourage manufactures in this State ;

Mr. Kilpatrick from the Judiciary Committee, reported adversely to the House bill—

To amend an act to enlarge the jurisdiction of justices of the peace in cases of injury to stock by railroads, and for other purposes, approved Dec. 7, 1866 ;

Mr. Jackson of Morgan, from the Committee on Corporations, reported adversely to the bill—

To incorporate the town of Talladega ;

Mr. Stansel, from the Judiciary Committee, reported adversely to the bill—

To prevent pauperism in this State ;

The adverse reports were severally concurred in.

Also, favorably, with an amendment,

To regulate advancements in the settlement of the estates of deceased persons.

The consideration of the bill was postponed, and made the special order for Thursday next, 12 o'clock.

Mr. Garrett, from the Committee on State Printing, to which was referred a resolution on the subject, reported a bill—

To fix the price to be paid for the public printing ;

Which was read three times under the suspension of the constitutional rule and passed.

Mr. Felder, from the Judiciary Committee, reported favorably to the bill—

To encourage agriculture by securing laborers their hire ;

Mr. Bulger moved to amend the bill by inserting the words, "reduced to writing," after the word contract ;
Which was lost.

Mr. Powell of Tuscaloosa moved to amend by additional section ;

Which was laid on the table, on motion of Mr. Barnes.

Mr. Foster moved to lay the bill on the table ;
Which was lost.

Yeas 14 ; nays 14.

YEAS—Messrs. Ashley, Boykin, Bulger, Castens, Deason, Drake, Edwards, Foster, Jackson of Morgan, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, and Wood—14.

NAYS—Messrs. President, Barnes, Bell, Cooper, Felder, Forney, Gage, Garrett, Jackson of Lauderdale, Kilpatrick, Moren, Stansel, Sykes, and Woodliff—14.

The further consideration of the bill was suspended to allow the introduction of bills.

Mr. Stansel, a bill to incorporate the Stafford Mills ;

Mr. Jackson of Morgan, a bill to authorize the commissioners court of Morgan county to levy an additional tax for county purposes ;

Mr. Drake, a bill authorizing the administrator of the late Chas. H. Patton, of Madison county, to invest certain moneys belonging to said estate in bonds or stocks ;

Also, a bill to authorize the administrator of the estate of Chas. H. Patton to invest certain interests of his intestate in the capital stock of the Bell Factory ;

All of which were severally read three times under the suspension of the constitutional rule, and passed.

Mr. Moren, a bill to incorporate the Alabama Mining and Manufacturing Company ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

Message from the House by Mr. Clanton :

Mr. President:

The House has passed bills :

To provide for the election of the county treasurer of Elmore county, by the people of said county ;

For the relief of John Callahan, of Montgomery county ;

To re-enact and amend an act entitled an act to incorporate the Alabama Savings Bank of Montgomery.

T. CLANTON, Clerk.

Message from his Excellency the Governor, by his private Secretary, Mr. Dixon :

Mr. President:

The Governor has approved bills of the following titles which originated in the Senate:

To authorize the judge of probate of Conecuh county to substitute lost records of judgments and decrees ;

For the relief of James Hill, jr., administrator of Robert Hill, deceased ;

To amend an act passed on the 23d day of February, 1866, entitled an act to incorporate the Bienville Water-Works company ;

For the relief of Rudolph Hottinguer ;

To incorporate the Gadsden Manufacturing and Mining Company ;

To repeal an act to authorize the payment of the turnkey fees of jailors in this State, approved January 18, 1866.

SAMUEL H. DIXON,

Private Secretary.

On motion by Mr. Drake,

The Senate adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, February 6th.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Petrie.

Upon the call of the districts, the following bills were introduced :

Mr. Gage, a bill to prevent the destruction of unclaimed freights, and to regulate the disposition thereof ;

Mr. Cooper, a bill to fix a limit to suits on foreign judgments or decrees ;

Mr. President, (Mr. Jones in the chair,) a bill to declare Nancy C. Freeman, wife of Newton Freeman, a free dealer ;

Mr. Deason, a bill for the relief of guardinas, executors and administrators ;

Mr. Powell of Tuscaloosa, a bill to authorize judges of the circuit court to audit and adjust certain claims ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Felder, a bill to allow Wm. L. Merriwether to put a gate across the Montgomery road, in Montgomery county ;

Mr. President, a bill to authorize the removal of the administration of the estate of B. J. West, deceased, from the probate court of Pike county to the probate court of Butler county ;

Mr. Stansel, a bill to establish a medical board in Hale county ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Stansel, a bill for the relief of Wm. R. Hardaway, sheriff of Greene county ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

Message from the House by Mr. Clanton.

Mr. President :

The House has passed bills :

For the relief of Jerome C. Thompson ;

To increase the pay of the commissioners of the county of Tallapoosa ;

Regulating proceedings in the probate court of Madison county ;

Authorizing courts of chancery and probate to make equitable settlements with guardians ;

To renew the charter of the South Western Rail Road Company, granted in 1857 and 1858, to extend their road across the State of Alabama, from Franklin, on the Chattahoochee, to Mobile ;

To establish a uniform and efficient system of public instruction in the State of Alabama, and to repeal the act to render more efficient the system of public schools in the State of Alabama, approved Feb. 14, 1856, and the act to amend an act to render more efficient the system of free public schools in the State of Alabama, approved 24th February, 1860;

Regulating proceedings in the probate court of Madison county.

T. CLANTON, Clerk.

Message from the Governor by his Private Secretary, Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

To amend the charter of the town of Camden, Wilcox county ;

To authorize the probate judge of Pike county to grant letters of administration on the estate of Homer V. Howard to Elizabeth G. Howard, a citizen of Georgia ;

To amend an act to encourage immigration and immigrant labor ;

To reorganize the Centreville Bridge Company ;

To regulate the time for the election of the State printer, and the term of his office ;

To renew and extend the time of payments of certain lands therein named ;

To authorize the Secretary of State to furnish the judge of the 4th judicial circuit with Reports of the Supreme Court, in place of others lost during the war ;

To legalize the action of the commissioners court of the county of Morgan, upon certain matters therein named ;

To amend section 1 of an act entitled an act to charter the National Savings Institution of Mobile, approved February 23, 1866, and to change the name of said company to that of Citizens Savings Bank of Mobile ;

To authorize E. H. Moren, guardian of Samuel D. Pitts, in the county of Bibb, to invest the funds of his said ward in real or personal property, and for other purposes.

SAMUEL H. DIXON,
Private Secretary.

The consideration of the special and general orders was suspended, for the purpose of allowing committees to report.

The Senate proceeded to consider the bill reported by the Judiciary Committee,

To encourage agriculture by securing laborers their hire.

On motion by Mr. Barnes,

The vote rejecting the amendment offered by Mr. Bulger, on yesterday, to insert the words "reduced to writing," after the word "contract," was reconsidered, and the amendment adopted.

Mr. Barnes moved to amend by inserting the words "for a time not less than eight months," after the word "plantation" in the ninth line ;

Which was adopted.

Mr. Bulger moved to amend by proviso, as follows ;

Provided, That nothing in this act shall affect the right of liens of landlords, or liens for necessary supplies.

Mr. Barnes moved to amend the proviso by inserting the word "prior," before the word "liens ;"

Which was adopted, and the proviso and amendment was adopted.

Mr. Drake moved to lay the bill on the table ;

Which was lost—yeas 13, nays 17.

YEAS—Messrs. Ashley, Boykin, Castens, Deason, Drake, Edwards, Foster, Mitchell, Montgomery, Norwood, Powell of Tuscaloosa, Wood, and Woodliff—13.

NAYS—Messrs. President, Barnes, Bell, Bulger, Cooper, Felder, Forney, Gage, Garrett, Jackson of Lauderdale, Jones, Kilpatrick, Moren, Powell of Macon, Stansel, Sykes, and Winston—17.

Mr. Barnes moved to dispense with the constitutional rule, to give the bill a third reading forthwith ;

Which was lost ;

And the bill was ordered to a third reading on to-morrow ;

Yeas 16, nays 13.

YEAS—Messrs. President, Barnes, Bell, Bulger, Cooper, Felder, Forney, Gage, Garrett, Jackson of Lauderdale, Jones, Moren, Stansel, Sykes, Winston, and Woodliff—16.

NAYS—Messrs. Ashley, Boykin, Castens, Deason, Drake, Foster, Jackson of Morgan, Mitchell, Montgomery, Norwood, Powell of Macon, Powell of Tuscaloosa, and Wood—13.

Mr. Garrett from the committee on Finance and Taxation, reported favorably to the House bill—

To extend the time for returns and settlements of tax collectors ;

Mr. Deason, moved to lay the bill on the table ;

Which was lost ;

And it was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Cooper, from the same committee, reported a substitute for the House bill—

To provide for the distribution of supplies to the destitute, and to provide for the punishment of officers and others for their misapplication ;

Mr. Norwood, moved to lay the bill and substitute on the table ;

Which was lost ;

The bill and substitute were recommitted to a select committee, to-wit : Messrs. Drake, Bulger and Barnes.

Mr. Jones, from the committee on Corporations, reported favorably with amendments to the bill—

To incorporate the Tuscaloosa Savings Association ;

The amendments were adopted ;

And the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Stansel, from the committee on the Judiciary committee, reported favorably to the House bill—

To revive judgments in certain cases ;

Mr. Moren, from the committee on Finance and Taxation, reported favorably to the House bill—

To require the payment of the State and county tax on licenses, granted by the Mayor and Aldermen of the city of Huntsville, to be made to the probate judge of Madison county ;

Which were severally read a third time, under a suspension of the constitutional rule, and passed.

Mr. Bulger, from the committee on Internal Improvements, reported favorably to the bill—

To authorize railroad companies to make contracts with Express Companies for the use of passenger trains for express freight—

Pending the consideration of which,

On motion by Mr. Barnes,

The Senate adjourned until half past three o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment, and resumed the consideration of the adverse report of the Committee on the bill—

To authorize railroad companies to make contracts with express companies for the use of passenger trains for express freight.

On motion by Mr. President, (Mr. Moren in the chair) the report was laid on the table.

Mr. Cooper moved to amend section 1 by substitute ;

Which was adopted.

Mr. Forney moved to amend by proviso, so as to exclude the Ala. & Tenn. Rivers Rail Road from the operations of the bill ;

Which was adopted ;

And, on motion by Mr. Garrett, the bill was laid on the table.

Yeas 16 ; nays 8.

YEAS—Messrs. Bell, Boykin, Bulger, Cooper, Edwards, Felder, Forney, Garrett, Jones, Kilpatrick, Montgomery, Norwood, Powell of Macon, Sykes, Winston and Woodliff—16.

NAYS—Messrs. President, Ashley, Barnes, Castens, Deason, Jackson of Lauderdale, Moren, and Powell of Tuscaloosa—8.

Mr. Barnes, from the Judiciary Committee, reported adversely to the bill—

To repeal an act to amend section 2471 of the Code, approved February 5, 1858.

Mr. Garrett moved to lay the report on the table ;

Which was lost. Yeas 3 ; nays 23.

YEAS—Messrs. Bulger, Foster, and Garrett—3.

NAYS—Messrs. President, Ashley, Barnes, Bell, Boykin, Castens, Cooper, Deason, Edwards, Felder, Forney, Huckabee, Jones, Kilpatrick, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood and Woodliff—23.

The report of the committee was concurred in.

Mr. Barnes, from the Judiciary Committee, reported favorably to the bill—

To increase the jurisdiction of courts of probate, and declare them courts of general jurisdiction.

Mr. Powell of Tuscaloosa, moved to amend by striking out all of first section after the word “annexed” ;

Which was lost.

Also, moved to lay the bill on the table ;

Which was lost ;

And the bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Barnes, from same committee, reported adversely to the bill—

To prevent the sacrifice of property at sales under legal process.

The consideration of the bill and report was postponed, and made the Special Order for to-morrow, 11 o'clock.

Mr. Barnes submitted the following report :

The Committee on the Judiciary, to whom was referred the resolution of inquiry respecting the status of the county treasurer elect for the county of Coosa, who was elected previous to the formation and establishment of the new county of Elmore, and who by the formation of the said new county was cut off into the territory of said new county, have considered the said question presented by said resolution, in connection with the 5th and last section of said act creating said new county, and are clearly of opinion that said county treasurer, under said 5th section, is entitled to hold the office of county treasurer of Coosa county, notwithstanding he is cut off by said act, making said new county, into the new county of Elmore, and they so instruct me to report to the Senate ;

Which was concurred in.

Also, from same committee, reported favorably to
The House bill—

Regulating the terms of office for officers elected in the new
counties ;

On motion by Mr. Garrett,

The consideration of the bill was postponed, and made the spe-
cial order for to-morrow.

Mr. Cooper, from the Committee on Finance and Taxation,
reported adversely to the bills—

To prevent litigation and fix the value of Confederate money;
For the relief of Joel Shelton, of Randolph county ;

Mr. Winston, from the Committee on Propositions and Griev-
ances, reported adversely to the bill—

For the relief of Nancy M. Johnson, of Jefferson county;

Mr. Forney, from the Judiciary Committee, reported ad-
versely to the bill—

To declare that certified copies of recorded deeds shall be
evidence in certain cases ;

Also, to the House bills—

To confer additional powers on solicitors ;

To amend section 186 of the Penal Code ;

Which were severally concurred in.

To amend section 2275 of the Code, so that interpreters may
be paid ;

Mr. Ashley, from the Committee on 16th Sections, reported
favorably to the bill—

To authorize the issue of a patent in a certain case ;

Mr. Powell of Tuscaloosa, from the Judiciary Committee,
reported favorably to the bill—

To authorize the securities of certain officers to use their
principals as witnesses in certain cases ;

Mr. Winston, from the Committee on Propositions and Griev-
ances, reported favorably to

The House bill—

To repeal an act authorizing the sale of vinous or spirituous
liquors in the town of Haw Ridge, in Dale county ;

All of which were severally read a third time, under the sus-
pension of the constitutional rule, and passed.

Mr. Jackson of Lauderdale, from the Committee on State
Printing, reported favorably with amendments to the bill to
amend section 78 of the Code ;

The amendments were adopted,

And the bill read a third time, under the suspension of the
constitutional rule, and passed.

Mr. Sykes, from the Committee on Finance and Taxation,

reported favorably to the bill for the relief of Chas. Nickols, of Marshall county ;

And also to the amendments referred with the bill ;

The amendments were adopted ;

The bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Powell of Macon, from the Committee on Finance and Taxation, reported favorably to the House bill—

To regulate the distribution of the Revised Code, with an amendment ;

Which was adopted ;

And the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Montgomery from the Committee on Privileges and Elections, reported favorably to the bill to change the time for holding the elections for members of Congress from the State ;

The consideration of the bill was postponed,

And made the special order for to-morrow 12 o'clock.

On motion by Mr. Powell of Macon,

The Senate adjourned until to-morrow morning 10 'clock.

THURSDAY, February 7.

The Senate met pursuant to adjournment.

Upon the call of the districts, the following bills were introduced :

Mr. Kilpatrick, a bill to prevent undecided appeals to the supreme court from losing their force by their discontinuance or otherwise, unless the appellee moves for a discontinuance after legal cause therefor has occurred ;

Mr. Powell of Macon, a bill to authorize the removal of the administration of the estate of S. P. Baskin, from the county of Pike to the county of Bullock ;

Mr. Felder, a bill to extend the corporate limits of the city of Montgomery ;

Also, a bill to confer additional powers on the city council of Montgomery ;

Mr. Garrett, a bill to fix the pay of the county commissioners of Elmore county ;

Mr. Powell, of Tuscaloosa, a bill—

To revive and continue in force an act to authorize the erection of a toll bridge over North river, in Tuscaloosa county, approved, February 4, 1846 ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Cooper, a bill—

To require the Governor to endorse the bonds of the Selma and Meridian Railroad Company ;

Which was read twice under the suspension of the constitutional rule and referred to the Committee on Finance and Taxation.

Mr. Sykes, a bill—

In relation to camp-hunting in Winston county ;

Which was read twice under a suspension of the constitutional rule, and referred to the Committee on Propositions and Grievances.

Mr. Moren reported from the Joint Committee, appointed under the concurrent resolution of the two Houses, as follows :

WHEREAS, The several reports submitted to this General Assembly show that the expenses of the State government are increasing to an alarming extent, while the ability of the people to support the government has been greatly lessened by reason of our present pecuniary distress ; and whereas, it is believed that many reforms and retrenchments may be made by which the public interest will be materially promoted by lessening the public expenditures, therefore,

Resolved, (the Senate concurring) That a joint committee of three from each House be appointed, whose duty it shall be to consider and inquire into the amounts necessary to carry on the State government, and particularly what retrenchments of expenses can be made in any of the departments of the State government, having regard to the faithful execution of the duties of the several officers, and a proper compensation to secure a faithful performance of the duties thereof, and report by bill or otherwise.

Having considered the subject referred, with a due regard to the public interest and that of the officers and agents of the State, beg leave to report—

That the subjects involved in the resolution embrace a wide range, and presents many difficulties which lie in the way of any effort to retrench the expenses which are annually increasing in the administration of the affairs of the State government. These difficulties are greater now because of the depreciation of the currency for several years past, and the necessity for and encouragement during the recent war of numerous agencies at high prices, which has engrafted upon our system an increase of pay of a much larger sum to carry on the public affairs than formerly, and even now the depreciation

of greenbacks, the only currency we have, is urged as a reason for the continuance of high salaries. The committee could not overlook the fact that there is a large increase in the expenses of the government, compared with that of a few years ago, and they are impressed with the conviction that more money is paid for these purposes than the public interest requires, or the pecuniary ability of the people at this time justifies. To illustrate this position the committee has recurred to the expenses of past years.

The Comptroller of Public Accounts, in his annual report, submitted on the 12th day of November, 1851, gives the average expenses of the State government, for two years, at \$99,926 81. By the report of that officer, 14th November, 1853, it appears that the annual expenses for the two years preceding, was \$116,524 32. Passing over the intermediate years, we find the ordinary expenses of the State government, from the report of the Comptroller, made at the commencement of the present session for the year preceding, was \$236,131 87, showing an excess over the year 1853 of \$120,607 35, after deducting the extraordinary payments made during the last year.

In his report of 12th November, 1853, the Comptroller states that the slave property of the State paid almost one-half the entire revenue, and this proportion runs through the entire period from 1851 to the time when that species of property ceased to exist. The loss of this and other property resulting from the effects of the war, reduced the taxable property several hundred millions, and with that loss the ability of the people of the State to pay taxes has been lessened one-half; and yet, with this decrease of the property and means of the people, the expenses of the Government are doubly in excess of the amount paid when the State was rich and prosperous.

The committee has directed its attention to the best means of lessening this expense, by a reduction of expenditures, with a due regard to an efficient administration and a promotion of the interest of the State. This is considered necessary that we may conform the State to a system of frugality and economy, to which the great mass of our people are suddenly reduced by the results of the war, upon the property and pecuniary ability of the country. The General Assembly owes it to the people of the State, to adopt a rigid system of retrenchment, that will, in its effects, lighten the burdens of taxation and assure them of its desire to remove every burden, the lightest of which now bears with sensible weight.

The work cannot be as fully accomplished now, in consequence of the deranged condition of the currency, as if it were stable at a par value ; but a beginning may be made that will assure the people that we are not unmindful of the duties of the hour, to be followed up, we trust, until the expenses of the State government shall be brought to a point below \$100,000. The committee proposes to reduce the salaries of sundry officers, as will appear in the bills reported. This, it is thought, can be done without any detriment to the public interest, and yet retain to the incumbents adequate compensation. Some salaries they have not proposed to reduce, because, upon examination, they are satisfied that the expense incident to a discharge of the duties and other surroundings require the amounts now paid as compensation. Bills are also reported to retrench the expenses of stationery, fuel, servant hire, distribution of public documents, &c., for the use of the State, which it is believed will materially lessen the expenses of these branches of the public service, also to reduce the expenses of the Legislature, its members and officers, which will afford considerable saving in this department. These, with the reduction of the price of public printing, will save to the State, in the opinion of the committee, the annual payment of \$29,200 from the amounts paid last year, and as they reasonably hope, will be the initiatory step to yet further reductions as the character of our currency and condition of our people shall improve.

This is due by this General Assembly to a confiding constituency, a once rich, but now impoverished people, wasted and prostrated by the calamities of war.

All of which is respectfully submitted.

E. H. MOREN,
W. GARRETT,
WM. A. ASHLEY,

Committee on the part of the Senate.

A. N. WORTHY,
A. G. MABRY,
JNO. G. PIERCE,

Committee on the part of the House.

The Senate proceeded to consider the bills reported by the committee :

The bill to retrench the expenses of the State government ;

Was read twice, under the suspension of the constitutional rule, and its further consideration postponed until half-past 10 o'clock to-morrow.

The bills—

To amend section 97 of the Code ;

To repeal sections 99 and 100 of the Code, and to substitute others in lieu thereof ;

To regulate the hiring of servants for the State ;

In relation to the employ of special clerical service for the State ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Moren, from the same joint committee, reported favorably to the bill and amendments to fix the pay and mileage of members and officers of the General Assembly ;

The consideration of which was postponed, and made the special order for to-morrow, half-past 10 o'clock.

Also, adversely to the bill to fix the salary of the marshal and librarian of the supreme court.

Mr. Winston presented the petition of John W. Brandon and others, to alter the line between DeKalb and Cherokee counties, on Lookout Mountain ;

Which was referred to the Committee on County Boundaries.

Mr. Norwood presented a petition from certain citizens of Jackson county ;

Which was referred to the Committee on Propositions and Grievances.

The Senate proceeded to consider the special orders pending, The first in order being the bill—

To furnish maimed soldiers with artificial limbs.

The further consideration of which was postponed until to-morrow 12 o'clock.

The Senate next proceeded to consider the petition of the Chattahoochee Manufacturing Company for relief ;

The consideration of which was postponed until Monday next.

The next special order, being the bill—

To incorporate the Memphis and Elyton Railroad Company ;

Its further consideration was postponed and made the special order for to-morrow, 11. o'clock.

The next special order, being the bill—

For the relief of Lehman & Bro., of Montgomery county, which, on motion by Mr. Cooper,

Was indefinitely postponed.

The next special order, being the bill—

To provide for the just and legal distribution of the school fund for the years 1865 and 1866.

The question pending being on Mr. Edwards' motion to refer the bill to the Committee on Education,

Was put and lost.

Mr. Edwards moved to amend by substitute for the bill, which was lost.

Yeas 11 ; nays 20.

YEAS—Messrs. Bell, Bulger, Deason, Edwards, Jackson of Morgan, Jones, Lindsay, Norwood, Powell of Tuscaloosa, Winston, and Woodliff—11.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Castens, Cooper, Felder, Forney, Foster, Gage, Garrett, Jackson of Lauderdale, Kilpatrick, Powell of Macon, Montgomery, Moren, Mitchell, Stansel and Sykes—20.

The bill was read a third time under the suspension of the constitutional rule, and passed. Yeas 17; nays 15.

YEAS—Messrs. President, Ashley, Barnes, Boykin, Cooper, Drake, Felder, Forney, Gage, Garrett, Kilpatrick, Mitchell, Montgomery, Powell of Macon, Stansel, Sykes, and Wood—17.

NAYS—Messrs. Bell, Bulger, Castens, Deason, Edwards, Foster, Jackson of Lauderdale, Jackson of Morgan, Jones, Lindsay, Moren, Norwood, Powell of Tuscaloosa, Winston, and Woodliff—15.

On motion by Mr. Garrett,

The Senate adjourned until this afternoon half-past three o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The consideration of the special orders was suspended, to receive reports from Mr. Norwood and Mr. Edwards.

Mr. Norwood, from the Committee on Roads, Bridges and Ferries, reported favorably to the House bill to appropriate fines collected from road defaulters to the use of roads and bridges, in the counties of Choctaw, Washington, Fayette, Coosa, Walker, Marion and Winston.

On motion by Mr. Garrett,

The county of Coosa was stricken from the bill,

And as amended, was read a third time, under the suspension of the constitutional rule, and passed.

Also, from the Committee on Accounts and Claims, to which was referred the account of Benjamin Snodgrass, sheriff of Jackson county, reported a bill—

For the relief of Benjamin Snodgrass, sheriff of Jackson county ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Also, from same committee, to which was referred the account of Levi Pitts, jailor of Jackson county, reported a bill
For the relief of Levi Pitts, jailor of Jackson county ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Edwards, from the Committee on County Boundaries, reported adversely to the bills—

To form a new county out of portions of Dallas, Marengo, Perry and Wilcox counties ;

To form a new county out of portions of Blount, Jefferson, Walker and St. Clair ;

Which were severally concurred in.

Also, favorably, with an amendment, to the House bill—

To annex a part of Dale county to Henry county ;

The amendment was adopted, and the bill re-committed to the same committee.

Mr. Garrett, from a select committee, reported favorably to the bill—

To authorize the commissioners court of Elmore county to issue treasury notes, to pay for building bridges, jail and court house, and other purposes.

Mr. Powell of Macon, from a select committee, reported favorably to the bill—

To authorize the commissioners court of Bullock county to issue treasury notes for the purpose of building a court house and jail, building and repairing bridges, and for other county purposes.

Also, favorably to the House bill to secure to the State of Alabama the benefits of an act of Congress donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts ;

Which were severally read a third time, under the suspension of the constitutional rule, and passed.

On motion by Mr. Barnes, the House bill—

To provide for the adoption, printing and distribution of the Revised Code ;

Was taken from the table, and on motion by Mr. Sykes,

Was referred to the committee on State Printing.

The Senate resumed the consideration of the special orders—

The bill to establish a school for blind persons, being on its second reading—

Mr. Garrett moved to amend, by striking out the words, “ any money in the treasury not otherwise appropriated,” and

insert "the fund set apart for the institution for the deaf and dumb ;"

Which was adopted ;

And the bill was read a thrid time, under a suspension of the constitutional rule, and passed ;

The bill to encourage sheep raising in this State ;

Was read a third time, under the suspension of the constitutional rule, and passed ;

Yeas 14 ; nays 13.

YEAS—Messrs. President, Barnes, Boykin, Castens, Cooper, Deason, Foster, Huckabee, Jackson of Lauderdale, Mitchell, Montgomery, Moren, Powell of Macon, and Sykes—14.

NAYS—Messrs. Bulger, Bell, Edwards, Felder, Forney, Gage, Jones, Kilpatrick, Lindsay, Norwood, Powell of Tuscaloosa, Winston, and Woodliff—13.

The bill to change the time for holding the elections for members of members of Congress from this State,

Being on its second reading ;

Mr. Lindsay moved to amend, by striking out "1st Monday in April," and inserting "2d Monday in March ;"

Mr. Sykes, moved to lay the bill on the table ;

Which was lost ;

And the bill was read a third time, under the suspension of the constitutional rule, and passed.

YEAS 24, nays 5.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Edwards, Foster, Gage, Garrett, Huckabee, Jones, Mitchell, Montgomery, Lindsay, Moren, Powell of Macon, Powell of Tuscaloosa, Winston, Wood, and Woodliff,—24.

NAYS—Messrs. Felder, Forney, Jackson of Lauderdale, Kilpatrick, and Sykes—5.

The committee on enrolled bills, beg leave to report the following bills correctly enrolled, and are instructed to report the same :

An act to amend an act, entitled " An act making copies of deeds evidence in certain cases, approved December 12, 1853 ;

A bill to be entitled "An act to incorporate the Shoal Creek Creek Transportation Company" ;

Also, an act to regulate the sale of personal property of decedents by order of courts of probate ;

An act to incorporate the Mobile Building Block Company ;

An act to amend section 2820 of the Code of Alabama ;

An act to provide for the trial of causes in which circuit judges or chancellors are incompetent to preside ;

On motion by Mr. Lindsay,

The Senate then adjourned until to-morrow morning, 10 o'clock.

FRIDAY, February 8.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

Upon the call of the districts, the following bills were introduced:

Mr. Ashley, a bill to amend section 398 of the Code in reference to transfer of licenses;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Felder, a bill to declare Martha E. Jackson, of Montgomery county, a free dealer;

Mr. Woodliff, a bill to authorize registers in chancery to act as judges of probate, and to transfer causes from the probate court to the chancery court, in certain cases therein provided for;

Which were severally read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Cooper, a bill to define and extend the corporate limits of the city of Selma;

Mr. Huckabee, a bill to authorize the corporate authorities of the town of Greensboro to levy and collect a special tax to provide a court house and jail for the county of Hale;

Mr. Jackson of Morgan, a bill to provide for the compensation of Thos. R. Williams, late judge of probate of Morgan county;

Mr. Norwood, a bill to provide for the permanent location of the county site for the county of Jackson;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported a substitute for the House bill—

To increase the fees of officers, jurors and witnesses, in the counties of Autauga, Greene, Sumter, Marengo, Pike, Tallapoosa, Dale, Washington, Limestone, Monroe and Butler, with the following tittle:

To regulate the fees of certain officers in this State;

The consideration of which was postponed and made the special order for to-morrow 11 o'clock.

Also, from same committee, adversely to the bills—

To regulate the fees of the probate judge of Tuscaloosa county ;

To regulate the fees of registers in chancery ;

To pay McClung and Jaques, for salt manufactured for the State of Alabama ;

To declare the effect of a repeal of a repealing statute ;

To amend section 1739 of the Code so as to effect a division of property under said section.

Mr. Kilpatrick, from the Judiciary Committee reported adversely to the House bill—

To amend paragraph 391 of the Penal Code.

Mr. Foster from the Committee on Accounts and Claims reported adversely to the account of J. C. Morehead.

Mr. Moren, from same Committee, reported adversely to the account of Capt. John W. White, A. Q. M. militia of Tuscaloosa county ;

Also, to the account of T. P. Lewis, of Tuscaloosa county ,
Also to the bill—

For the relief of Wm. R. Hardaway, sheriff of Greene county.

Mr. Edwards, from the Committee on County Boundaries, reported adversely to the petition of John W. Brandon and others, to alter the boundary lines between the counties of DeKalb and Cherokee, on Lookout Mountain ;

The reports were severally concurred in.

Mr. Powell, of Tuscaloosa, from the Judiciary Committee, reported favorably to the House bill—

To authorize the commissioners court of Lee county to issue treasury notes.

Mr. Jones, from the Committee on Corporations, reported favorably to the bill—

To reorganize the Government Street Railroad Company, and extend the powers thereof ;

To incorporate the Eureka Mining Company of Alabama ;

To amend the charter of the town of Florence ;

To alter and amend an act to incorporate the Chunnenugee Female College, of Macon county ;

Also, from the Judiciary Committee, reported favorably to the House bill—

To define the duties of probate judges in certain cases ;

All of which were severally read a third time under the suspension of the constitutional rule and passed.

Also, from same committee, favorably to the bill—

To exempt Eliza Ann Garrison, of Montgomery, from any penalty for, or on account of, her marrying hereafter in this State ;

The Senate refused to order the bill to a third reading.

The Senate proceeded to consider the special orders, the first being the bill—

To retrench the expenses of the State government ;

Mr. Lindsay moved to strike out the first section ;

Which was lost ;

Mr. Barnes moved to strike out the first paragraph of section one ;

Which was lost ;

Mr. President moved to strike out \$3,200 (the salary fixed for the supreme court judges) and insert \$3,500 ;

Which was lost.

Mr. Barnes moved to add the following proviso :

Provided, That the salaries provided for in this act shall be paid in gold or its equivalent ;

Which was lost.

Mr. Lindsay moved to strike out the words, "from and after the approval of this act," after "Comptroller of Public Accounts," and insert the words, "hereafter to be appointed or elected;"

Which was adopted.

Mr. Cooper moved to insert after "Attorney General," the following: "hereafter to be appointed or elected;"

Which was adopted.

Mr. Powell of Tuscaloosa moved to insert after "Superintendent of Education," the following: "from and after the approval of this act;"

Which was adopted.

And the bill was read a third time, under the suspension of the constitutional rule, and passed.

The next being the bill—

To fix the pay and mileage of the officers and members of the General Assembly.

The question pending being on the amendments reported by the committee,

The first amendment in regard to the per diem of the presiding officers of the two Houses ;

The second in regard to the pay of the Secretary of the Senate and Clerk of the House ;

The third in regard to Assistant Secretaries and Clerks ;

The fourth in regard to the pay of Door-keepers ;

The 6th in regard to the pay of officers during a recess, when the recess is longer than five days ;

Were severally adopted.

The fifth in regard to the pay of pages, was stricken out.

The seventh in regard to the per diem of the members of the General Assembly, being to strike out six dollars, and insert five dollars;

Mr. Montgomery moved to lay the bill on the table ;

Which was lost.

Yeas 11 ; nays 19.

YEAS—Messrs. Barnes, Bell, Castens, Deason, Forney, Foster, Jackson of Lauderdale, Kilpatrick, Lindsay, Montgomery, and Powell of Tuscaloosa—11.

NAYS—Messrs. President, Ashley, Boykin, Bulger, Cooper, Edwards, Felder, Gage, Garrett, Huckabee, Jackson of Morgan, Jones, Mitchell, Moren, Powell of Macon, Sykes, Winston, Wood and Woodliff—19.

Mr. Lindsay moved to amend the amendment of the committee, by striking out five, and inserting four, which on motion by Mr. Bulger,

Was laid on the table.

Yeas, 18 ; nays, 14.

YEAS—Messrs. President, Ashley, Bell, Boykin, Bulger, Cooper, Deason, Drake, Felder, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Moren, and Norwood—18.

NAYS—Messrs. Barnes, Castens, Edwards, Forney, Foster, Lindsay, Mitchell, Montgomery, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood and Woodliff—14.

The question recurred on adopting the amendment reported by the committee to strike out "six" and insert "five";

A division of the question being called, the question was first put on striking out "six dollars" ;

And it was put and carried. Yeas 18 ; nays 14.

YEAS—Messrs. President, Ashley, Boykin, Bulger, Cooper, Edwards, Felder, Gage, Garrett, Huckabee, Jackson of Morgan, Jones, Mitchell, Moren, Powell of Macon, Sykes, Winston and Woodliff—18.

NAYS—Messrs. Barnes, Bell, Castens, Deason, Drake, Forney, Foster, Jackson of Lauderdale, Kilpatrick, Lindsay, Montgomery, Norwood, Powell of Tuscaloosa, and Wood—14.

And the blank was filled with "five" ;

The constitutional rule was dispensed with, and the bill was read a third time.

Mr. Barnes moved to lay it on the table ;

Which was lost ;

And the bill passed. Yeas 20 ; nays 11.

YEAS—Messrs. President, Ashley, Bell, Boykin, Bulger, Cooper, Edwards, Felder, Foster, Gage, Garrett, Huckabee,

Jackson of Morgan, Jones, Mitchell, Moren, Powell of Macon, Sykes, Winston and Woodliff—20.

NAYS—Messrs. Barnes, Castens, Deason, Drake, Forney, Jackson of Lauderdale, Kilpatrick, Lindsay, Montgomery, Norwood, and Powell of Tuscaloosa—11.

Mr. Powell of Tuscaloosa, moved to reconsider the vote passing the bill to retrench the expenses of the State government.

Mr. Barnes moved to postpone the consideration of the motion until to-morrow, 11 o'clock ;

Which was lost.

The motion to reconsider was lost.

On motion by Mr. Forney, the business before the Senate was suspended, to take from the House messages the House bill—

To establish a uniform and efficient system of public instruction in the State of Alabama, and to repeal the act to render more efficient the system of public schools in the State of Alabama, approved Feb. 14, 1856, and the act amendatory thereof, approved Feb. 24, 1860 ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Education.

Mr. Edwards, from the Committee on County Boundaries, reported adversely to the petition of sundry citizens of Jackson county, praying a division of said county, and the formation of a new county, as there is not a sufficient amount of territory for two counties, under the constitutional requirement.

The report was concurred in.

Mr. Edwards, from the same committee, asked to be discharged from the further consideration of the House bill to annex a part of Dale county to Henry county, and recommended that the bill be referred to the Judiciary Committee.

The committee were discharged, and the bill referred as recommended.

Message from the House by Mr. Clanton.

Mr. President :

The House has amended, as therein shown, and passed a Senate bill—

To form a new county out of a portion of Franklin, to be called Dixie.

It has also passed Senate bills :

To incorporate the Ripville Manufacturing company ;

To incorporate the town of Courtland, in the county of Lawrence ;

To fix the fees of the clerk of the Supreme Court, for binding up the records of the Supreme Court cases ;

To incorporate the Fort Deposit Institute, in Lowndes county ;

To authorize the mayor and aldermen of the city of Tuscaloosa to issue the bonds of the city, for the purposes therein named ;

In relation to the sale of books, the property of the State ;

To authorize Ellen Elizabeth Deaver, of the county of Blount, to make a title to a certain tract of land therein named ;

To authorize the administrator of the estate of Samuel C. McGehee, of Talladega county, to sell lands belonging to said estate, privately ;

To register or cancel bonds of the State that have been redeemed ;

For the relief of Thomas Shea ;

To amend section 3925 of the Code ;

To establish two new election precincts in the county of Clay ;

To authorize the mayor and aldermen of the city of Tuscaloosa to build a bridge pontoon, and establish a ferry across the Black Warrior river ;

To change the boundary line between the counties of Butler and Crenshaw ;

To authorize the mayor and aldermen of the city of Tuscaloosa to issue the bonds of the city for the purposes therein named ;

In relation to the interest upon the State debt, falling due in the months of May, June and July ;

To incorporate the Pensacola Railroad contracting company ;

For the relief of Barbara M. Ralph ;

For the preservation of oysters in this State ;

For the relief of John P. Earp, of Fayette county ;

To incorporate the Montgomery Literary Society, a literary and library association in the city of Montgomery ;

To incorporate the Union Springs Savings Association ;

To authorize the commissioners court of Morgan county to re-issue county treasury notes ;

To incorporate the city of Greenville ;

To authorise the commissioners court of Jackson county to issue bonds and levy a special tax ;

To establish the line between the counties of Cherokee and DeKalb, on the Lookout Mountain ;

To incorporate the Warrior Bridge Pontoon and Ferry Company ;

To incorporate the town of Gadsden in the county of Baine ;

To establish a Medical Board in the county of Jefferson ;

To incorporate Montgomery Water Works Company for the city of Montgomery ;

To incorporate "The Hebrew Ladies Benevolent Society ;

To amend an act entitled an act to amend and continue in force an act, entitled "An act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa," approved, January 2, 1833 ;

To amend an act to incorporate the Eufaula Home Insurance Company, approved, February 9th, 1861 ;

To authorize the Alabama and Florida Railroad Company of Florida to purchase from the Alabama and Florida Railroad Company of Alabama, their road from the State line of Florida to the town of Pollard, in the county of Conecuh, and to work, conduct and manage the same.

The House has passed bills—

To authorize A. S. Nelson, guardian of Carrie N. Goree, to make such contracts as may be necessary to secure the cultivation of his ward's estate ;

To amend the charter of the Commercial Savings Company of Mobile, approved February 23d, 1866 ;

To consolidate the offices of Sheriff and Tax Collector of Choctaw county ;

To authorize the removal of the administration of the estate of S. F. Freeman from the county of Russell to the county of Lee ;

To incorporate the town of Allenton, in the county of Wilcox ;

To authorize Jane S. Ware, administratrix of the estate of James H. Ware, deceased, of Montgomery county, to sell personal property and rent estate at private sale ;

For the relief of John D. Leverett, of the county of Chambers ;

To incorporate the Decatur and Guntersville Railroad Company ;

To regulate fees of officers in the counties of Russell and Bullock ;

To increase the fees of public officers in the counties of Choctaw and Limestone ;

To change the boundary line of the counties of Coosa and Talladega ;

To prohibit the sale of spirituous liquors within five miles of Cahaba Coal Mines, in Shelby county ;

To require new counties to be furnished with acts of Supreme Court Reports ;

To establish a County Court for Pike county, and to repeal section 387 of the Penal Code, so far as the same applies to Pike county ;

To amend the charter of the Factors and Grocers, Marine and Fire Insurance Company, approved December 4, 1863 ;

To authorize the legal representatives of Wm. B. Watt, late of Randolph county, deceased, to compromise with the late guardian of said decedent ;

To incorporate the Barnett Manufacturing Company ;

To incorporate the Granite Manufacturing Company of Coosa county ;

To relieve Harris & Hoyt of Montgomery county ;

For the relief of Joseph F. Fason of Greene county ;

To incorporate the town of Summerfield, in the county of Dallas ;

To incorporate the Fireman's Club of Mobile ;

To change the name of the Tennessee and Alabama Central Railroad Company ;

For the relief of Matilda Wresler, of the county of Choc-taw ;

To prevent and punish unlawful hunting and other trespass ;

For the relief of Azariah Cobbs, of the county of Jackson ;

To incorporate the Selma Cotton Press Company ;

For the relief of W. D. Harper, late sheriff of Morgan county ;

To amend charter and fix the Eastern boundary of the city of Montgomery ;

To continue in force the right of the Selma and Montgomery Navigation Company ;

For the relief of Felix G. Hubbard, of Russell county ;

For the relief of Mobile county.

The House has passed Senate bill—

In regard to roads, bridges and ferries, in the county of Mobile.

The House has amended by "substitute," the Senate bill—

To authorize John Whiting, commissioner and trustee, to make a deed to Isaac E. Young.

Message from the House by Mr. Clanton :

Mr. President:

The House recedes from its amendments to the Senate bill—

To amend sections 16 and 22 of an act entitled an act to incorporate the New Orleans, Mobile and Chattanooga Railroad Company, approved November 24, 1866, and to add additional sections thereto.

The House rejects Senate bills—

In relation to the office of Superintendent of Education, in the State of Alabama ;

To amend section 728 of the Code ;

The House concurs in the Senate resolution to adjourn *sine die* on the 14th of February.

On motion by Mr. Lindsay, the business of the Senate was suspended to consider the amendments of the House to the Senate bill—

To form a new county from a portion of Franklin, to be called Dixie.

The Senate concurred in the House amendment.

Message from the Governor by his private secretary, Mr. Dixon.

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

To provide for the trial of causes in which circuit judges or chancellors are incompetent to preside ;

To amend section 2820 of the Code of Alabama ;

To incorporate the Mobile Building Block Company ;

To regulate the sale of personal property of decedents by order of courts of probate ;

To incorporate the Shoal Creek Transportation Company ;

To amend an act entitled an act making copies of deeds evidence in certain cases, approved December 12, 1853.

SAMUEL H. DIXON,

Private Secretary.

The Senate adjourned until 15 minutes past 7 o'clock, P. M.

NIGHT SESSION.

The Senate met pursuant to adjournment, and resumed the consideration of the Special Orders ;

The bill to incorporate the Memphis & Elyton Rail Road Company.

On motion by Mr. Deason, sections 10, 11 and 12, were stricken out.

Mr. Sykes moved to amend by inserting after the word "State", in the 13th section, the following: "except those granted to, and conferred upon the New Orleans, Mobile and Chattanooga Rail Road Company";

Which was adopted.

Mr. Deason moved to amend section 13 by substitute.

Mr. Lindsay moved to lay the substitute on the table;

Which was lost, and the substitute was adopted.

The bill was then read a third time, under a suspension of the constitutional rule, and passed.

Mr. President laid before the Senate the following communication:

SENATE CHAMBER, Feb. 8, 1867.

Hon. W. H. Crenshaw, President of the Senate:

Sir—I hereby tender my resignation as Secretary of the Senate, to take effect to-morrow.

Respectfully,

Your obedient servant,

M. TAUL.

On motion by Mr. Sykes, the resignation was accepted, and resolved that the Senate will go into an election for Secretary to-morrow, 11 o'clock.

The Senate resumed the consideration of the Special Orders.

The House joint resolution in reference to the charter of the Tuscaloosa Scientific and Art Association, was referred to the Judiciary Committee.

The bills—

To prevent the sacrifice of property at sales under legal process;

To encourage agriculture;

Being on their second reading, their further consideration was postponed, and made the special order for half-past ten o'clock to-morrow.

The bill to aid in the education of the blind of this State;

Was laid on the table.

The bill to regulate advancements in the settlements of the estates of deceased persons being on its second reading, the question pending being on the adoption of the amendment reported by the Judiciary Committee, its consideration was postponed and made the special order for to-morrow morning, fifteen minutes past ten o'clock.

Mr. Powell of Tuscaloosa moved that the Senate adjourn until to-morrow, 10 o'clock ;

Which was lost.

Yeas 10 ; nays 15.

YEAS—Messrs. Ashley, Deason, Drake, Forney, Foster, Jackson of Lauderdale, Jackson of Morgan, Montgomery, Norwood and Powell of Tuscaloosa—10.

NAYS—Messrs. President, Barnes, Bulger, Cooper, Edwards, Felder, Gage, Garrett, Lindsay, Mitchell, Moren, Powell of Macon, Sykes, Winston, Wood and Woodliff—15.

The House bill—

Regulating the terms of office for officers elected in new counties,

Being on its passage, was lost. Yeas 8 ; nays 18.

YEAS—Messrs. Barnes, Forney, Foster, Jackson of Lauderdale, Mitchell, Powell of M., Powell of Tuscaloosa, and Woodliff—8.

NAYS—Messrs. President, Ashley, Bell, Boykin, Bulger, Cooper, Deason, Drake, Edwards, Felder, Gage, Garrett, Jackson of Morgan, Lindsay, Moren, Sykes, Winston and Wood—18.

Mr. Lindsay moved to reconsider the vote refusing to pass the bill, pending the discussion of which motion,

Mr. Powell of Tuscaloosa moved to adjourn ;

Which was lost.

Yeas 7, nays 18.

YEAS—Messrs. President, Bell, Deason, Forney, Foster, Jackson of Morgan, and Powell of Tuscaloosa—7.

NAYS—Messrs. Barnes, Boykin, Bulger, Cooper, Drake, Edwards, Felder, Gage, Garrett, Jackson of Lauderdale, Lindsay, Mitchell, Moren, Powell of Macon, Sykes, Winston, Wood and Woodliff—18.

Mr. Cooper moved to postpone indefinitely the consideration of the motion,

Pending the discussion of which, on motion by Mr. Jackson of Morgan,

The Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, February 9.

The Senate met pursuant to adjournment.

On motion by Mr. Garrett,

The call of the Districts was dispensed with, to allow Mr. Huckabee to make a report from the Committee on State Printing.

Hr. Huckabee, from the Committee on State Printing, reported favorably to the bill—

To provide for the adoption, distribution and printing of the Revised Code of Alabama,

With the following amendments :

1st. Strike out all of Sec. 2, after the word State, in the 2d line ;

2d. Strike out section 3d ;

3d. Insert three sections after sections 2d;

4th. Insert the words "Public Printer, or," before the word word "contractor," where it occurs in the bill ;

Which were adopted.

Mr. Garrett moved to amend by striking out the words "each member of the commissioners court";

Which was adopted, and the bill was read a third time and passed, and ordered forthwith to the House.

The Senate proceeded to the consideration of the special order, being the bill—

To regulate advancements in the settlement of the estates of deceased persons.

Mr. Forney moved to amend by substitute.

Mr. Lindsay moved to amend the substitute by striking out the words "testator or";

Which was adopted.

Mr. Powell of Tuscaloosa, moved to amend by striking out the words "also look to the pecuniary condition of the legatees or distributees";

Which was adopted, and the substitute as amended was adopted.

Mr. Cooper moved to lay the bill on the table ;

Which was lost. Yeas 14 ; nays 16.

YEAS—Messrs. Barnes, Bell, Castens, Cooper, Deason, Garrett, Huckabee, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood, Wood and Woodliff—14.

NAYS—Messrs. President, Boykin, Bulger, Edwards, Felder, Forney, Foster, Gage, Jackson of Lauderdale, Jackson of Morgan, Jones, Moren, Powell of Macon, Powell of Tuscaloosa, Sykes and Winston—16.

The constitutional rule was suspended, and the bill read a third time and passed, and ordered forthwith to the House.

In pursuance to a resolution passed yesterday, the Senate proceeded to the election of a secretary to fill the vacancy occasioned by the resignation of Mr. Taul.

Mr. Powell of Macon, placed in nomination the name of Mr. Wm. H. Garrett, of Coosa county.

Mr. Garrett alone being in nomination, and having received thirty votes, being all the votes cast, Mr. President declared him duly elected Secretary of the Senate, to fill the unexpired term of Mr. Taul.

The Senate then proceeded to the election of an assistant secretary.

Mr. Lindsay placed in nomination the name of Mr. L. W. Vick, of Montgomery.

Mr. Montgomery placed in nomination the name of John C. Duncan, of Talladega county.

Those who voted for Mr. Vick are—

Messrs. Deason, Edwards, Felder, Gage, Garrett, Jackson of Morgan, Jones, Kilpatrick, Lindsay, and Woodliff—10.

Those who voted for Mr. Duncan are—

Messrs. President, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Forney, Foster, Huckabee, Jackson of Lauderdale, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tusealoosa, Sykes, Winston and Wood—20.

Mr. Duncan having received a majority of all the votes cast, Mr. President declared him duly elected Assistant Secretary of the Senate.

Messrs. Garrett and Duncan were qualified and entered upon the discharge of their duties.

Mr. Lindsay moved to suspend the consideration of the special orders to allow him to introduce the following resolution :

Resolved, That the thanks of the Senate are due and hereby tendered to Mr. Taul for the fidelity, courtesy and ability, which have so eminently uniformly distinguished him in the discharge of his arduous and important duties as Secretary of the Senate during the present Legislature.

Which was unanimously adopted.

The Senate resumed the consideration of the special orders.

The first in order being the bill to increase the fees of officers, jurors and witnesses, in the counties of Autauga, Greene, Sumter, Marengo, Pike, Tallapoosa, Dale, Washington, Limestone, Monroe and Butler ;

The question being on the adoption of the substitute reported by the committee ;

The substitute was adopted.

Yeas 18 ; nays 8.

YEAS—Messrs. President, Barnes, Bell, Bulger, Castens, Felder, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Montgomery, Moren, Powell of Tuscaloesa, and Sykes—18.

NAYS—Messrs. Boykin, Edwards, Foster, Jackson of Morgan, Norwood, Powell of Macon, Wood, and Woodliff—8.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Bulger moved to reconsider the vote by which the bill was passed ;

Which was lost.

Mr. Barnes moved to suspend the consideration of the special orders to allow Senators to introduce bills and make reports ;

Which was carried.

Mr. Barnes introduced a bill to change the line between the counties of Chambers and Lee.

Which was read three times under a suspension of the constitutional rule, and passed.

Yeas 25 ; nays 0.

YEAS—Messrs. President, Barnes, Bell, Boykin, Bulger, Castens, Deason, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Sykes, Wood, and Woodliff—25.

Mr. Lindsay, a bill to regulate certain appeals, which was postponed until Monday at 11 o'clock, and made the special order for that hour.

Also, a bill to regulate the issuing of *scire facias* ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Garrett, a bill supplementary to an act entitled an act in relation to the Alabama Insane Hospital, approved January 28, 1867 ;

Also, a bill in addition and supplementary to an act entitled an act to authorize the Governor to settle with Wm. O. Winston, of DeKalb county, approved January 27, 1867 ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Lindsay, a bill to reorganize the chancery court of the State of Alabama.

On motion by Mr. Norwood,

The bill was laid on the table.

Mr. Kilpatrick, a bill to incorporate the Franklin Male and Female Academy, in Monroe county ;

Mr. Powell of Macon, a bill to define the powers of the commissioners court of Bullock county ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Powell of Macon, a bill to require the Secretary of

State to furnish books, reports, &c., to the judge of probate of the county of Bullock, for the use of said county.

On motion by Mr. Garrett,

The further consideration of the bill was postponed until Monday next.

Mr. Cooper, a bill to incorporate the Selma Hebrew Association ;

Mr. Felder, a bill to amend section 8 of an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved February 24, 1860 ;

Also, a bill to authorize the city of Montgomery to issue twenty-five thousand dollars, to circulate as money, in change bills of the denomination from one to five dollars, in lieu of the present outstanding mutilated issue of the city, legalized by an act of the General Assembly of Alabama, approved February 20, 1866 ;

Also, a bill to incorporate the Montgomery Turner Verein ;

Also, a bill to authorize Wm. H. Northington, as executor of John D. Fralic, deceased, to purchase real estate and personal property for the use of said estate ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Edwards, from the committee to which was referred a resolution instructing them to report a bill apportioning representatives of the State of Alabama,

Reported the following bill, in compliance with the resolution :

To fix and establish the ratio and apportion representatives among the several counties in this State ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Garrett, a bill to incorporate the Indian Hill Manufacturing company.

Which was read twice under the suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To incorporate the Montgomery Literary Society, a literary and library association in the city of Montgomery ;

To amend an act entitled an act to amend and continue in force an act entitled an act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, approved January 2, 1833 ;

To amend an act to incorporate the Eufaula Home Insurance Company, approved February 9, 1861 ;

To authorize the Alabama and Florida Railroad Company of Florida to purchase from the Alabama and Florida Railroad Company of Alabama their road from the State line of Florida to the town of Pollard, in the county of Conecuh, and to work, conduct and manage the same;

To incorporate the Fort Deposit Institute, in Lowndes county;

To fix the fees of the Clerk of the Supreme Court for binding up the records of Supreme Court cases;

For the relief of John P. Earp, of Fayette county;

To change the county lines between the counties of Butler and Crenshaw;

To incorporate the Union Springs Savings Association;

To form a new county from a portion of Franklin, to be called the county of Colbert;

To extend the provisions of an act therein named to the counties of Pickens, Fayette and Franklin.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed bills—

To authorize the court of county commissioners of Tallapoosa county to borrow money;

To repeal section 2 of an act incorporating Lineville Male and Female Academy, approved February 9th, 1860, and to substitute a section in lieu thereof, as section "two;"

To incorporate the Sepulga River Manufacturing Company, of Conecuh county;

To incorporate the town of Stevenson, in the county of Jackson;

For the relief of William Beach, of Washington county, and Philip Pritchett and Lotty Pritchett, his wife, of Marshall county;

For the relief of Columbus D. Reeves and his present wife, of the county of Randolph;

To lay off the county of Dale into four commissioners districts;

To require probate judges to make quarterly settlements with the county treasurers;

To change the boundary line between the counties of Lee and Tallapoosa;

To authorize the construction of a railroad between Gainesville and Eutaw, and a connection between roads at those points;

To amend an act to prevent the sale of spirituous liquors in quantities less than one gallon, within three miles of Danville, in Morgan county ;

To repeal an act establishing the city court of Eufaula, Barbour county ;

To declare certain citizens therein named, to be citizens of Calhoun county ;

To incorporate the Sipsey bridge company ;

For the relief of Thos. G. Cole, of the county of Choctaw ;

For the relief of Parmer A. Kindrick, jailor of Shelby county ;

For the relief of James Gober, of Franklin county ;

To incorporate the Sipsey Falls Manufacturing company ;

For the relief of James B. Farmer, late sheriff of Calhoun county ;

To incorporate the Alabama Mutual Life Insurance company of Selma ;

To change the line between the counties of Pike and Crenshaw ;

To detach from the county of Coosa certain territory, therein described, and attach the same to the county of Shelby ;

To incorporate the Demopolis Fire and Marine Insurance company ;

To establish a medical board for Elmore county ;

To authorize Reuben F. Nix to erect gates across a road therein named ;

To amend and revive the charter of the Coosa and Chattooga River Railroad company ;

To incorporate the Cornwall Iron-Works company, and to grant said company certain privileges therein specified ;

To incorporate the Gainesville Manufacturing company.

The House concurs in Senate amendments to House bills :

To appropriate fines collected from road defaulters to the use of roads and bridges, in the counties of Choctaw, Washington, Fayette, Walker, Marion and Winston ;

To prevent trespass by camp hunters, in Randolph county ;

To amend section 713 of the Penal Code of Alabama, so as to authorize probate judges to admit to bail on writs of *habeas corpus*, in cases of felony before conviction.

The House has amended and passed Senate bills—

To charter a ferry across Coosa river, at or near Cedar Bluff in Cherokee county ;

To encourage sheep raising in this State.

The House has also amended and passed Senate bills:

To provide for the permanent location, of the court house of Choctaw county ;

To authorize a chancery district of certain counties therein named ;

To add a portion of the county of Cleburne to the county of Talladega ;

For the relief of defendants in judgments and decrees rendered since 11th day of January, 1861.

The House has passed Senate bills—

To regulate the pay of county commissioners in the county of Bullock ;

To incorporate the town of Livingston in Sumter county ;

To authorize the commissioners court of Russell county to issue treasury notes ;

To regulate the places of holding sheriff's sales in Bibb county ;

To declare the common form of indictment under section 1059 of the Code, sufficient for violations of local laws regulating the sale of spirituous liquors ;

To incorporate the city of Eufaula ;

To incorporate the Pioneer Fire Company of Greenville ;

To amend an act entitled an act to incorporate the Wilcox Monumental Association ;

To incorporate the Notasulga Manufacturing Company ;

To incorporate the Montgomery Mutual Building and Loan Association ;

To incorporate the Montgomery Chamber of Commerce ;

Authorizing the administrator of the late Charles H. Patton, of the county of Madison, and State of Alabama, to invest certain moneys belonging to said estate, in bonds or stocks ;

To relieve the tax payers of Pickens county ;

To authorize the commissioners court of the county of Morgan to levy additional tax for county purposes ;

To incorporate the Stafford Mills ;

To authorize the administrator of the estate of the late Charles H. Patton, of Madison county, to invest certain interests of his intestate in the capital stock of the Bell Factory, an incorporated company ;

To incorporate the Tuscaloosa Savings Association ;

To establish a medical board in the county of Hale ;

To allow Wm. L. Merriwether to put a gate across the Montgomery road in Montgomery county ;

To authorize the administrator of the estate of Samuel W. Davidson, sr., late of the county of Bibb, to settle the same with the heirs of said estate among themselves ;

To authorize the commissioners of revenue for Mobile county to elect the tax assessor for said county and remove such assessor;

For the relief of Moses White, administrator of the estate of George H. Lybrook, of the county of Lauderdale;

For the relief of Charles Nichols, of Marshall county, and Jonas Gipson, and Jonathan Walker, of Winston county.

To change the county line between Clay and Talladega counties;

To change the line between Clay and Cleburne counties and to add certain sections of land therein named to Cleburne county.

T. CLANTON, Clerk.

Mr. Barnes introduced a bill, to extend the charter of the Mobile and Great Northern Railroad Company;

Which was read twice, under the suspension of the constitutional rule,

And the question being, on ordering the bill to a third reading on to-morrow, pending the discussion of which,

On motion of Mr. Jackson of Lauderdale—

The Senate adjourned until to-morrow morning 10 o'clock.

MONDAY, February 11.

The Senate met pursuant to adjournment.

On motion by Mr. Barnes, the further consideration of the bill—

To extend the charter of the Mobile and Great Northern Railroad Company;

Pending at last adjournment, was postponed until to-morrow 11 o'clock.

Upon the call of the districts, the following bills were introduced:

Mr. Gage, a bill to incorporate the Mobile Canal Company;

Mr. Jackson of Lauderdale, a bill to increase the compensation of executors, administrators, guardians and county court commissioners in the county of Lauderdale;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Ordered that the bill be sent forthwith to the House.

Mr. Jackson of Morgan, a bill to authorize the commissioners court of Morgan county to compensate Samuel Hamilton, late clerk of circuit court of said county;

Mr. Cooper, a bill to remove the administration of the estate of Phillip J. Weaver, Jr., from the probate court of Marengo county to the probate court of Dallas county ;

Mr. Winston, a bill for the relief of James Allen, of DeKalb county ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Garrett moved to suspend the business before the Senate to take from the House message the House bill—

To establish revenue laws for the State of Alabama ;

Which was carried, and the bill read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Jones moved to take from the House messages the Senate bill amended by the House—

For the relief of defendants in judgments and decrees rendered since the 11th day of January, 1861.

The amendments of the House were concurred in.

Mr. President (Mr. Sykes in the chair,) moved to take from the table the House bill—

To make R. B. Colvin, C. W. Cottingham, and J. L. Cottingham, liners between Lowndes and Crenshaw counties, citizens of Lowndes county ;

Which was carried.

Mr. President moved to amend by substitute ;

Which was adopted, and the bill and title, as amended, was read a third time, under the suspension of the constitutional rule, and passed.

Yeas 27 ; nays 0.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Drake, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes and Woodliff—27.

Mr. Felder moved to take from the House message the House bill—

To re-enact and amend an act entitled an act to incorporate the Alabama Savings Bank of Montgomery ;

Which was carried, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. President introduced a bill supplemental to the charter to the South and North Alabama Railroad Company.

Mr. Garrett moved to lay the bill on the table, which carried ;

Yeas 19 ; nays 11.

YEAS—Messrs. Bell, Castens, Cooper, Drake, Foster, Gage, Garrett, Huckabee, Jackson of M., Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Norwood, Sykes, Winston, and Woodliff—19.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Deason, Edwards, Felder, Forney, Jackson of Lauderdale, Powell of Macon, and Stansel—11.

The next being in order, the bill—

To prevent the sacrifice of property at sales under legal process ;

The question being on concurring in the adverse report of the Committee,

Mr. Bulger moved to lay the report on the table ;

Which was lost.

The adverse report was concurred in.

Yeas 21 ; nays 9.

YEAS—Messrs. President, Ashley, Barnes, Bell, Castens, Cooper, Felder, Forney, Gage, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Mitchell, Montgomery, Norwood, Powell of Tuscaloosa, Stansel, Winston, Wood and Woodliff—21.

NAYS—Messrs. Bulger, Drake, Edwards, Foster, Garrett, Jackson of Morgan, Moren, Powell of Macon, and Sykes—9.

The Senate proceeded to consider the second special order,
To encourage agriculture ;

The question being on concurring in the adverse report of the committee,

Mr. Bulger moved to lay the report on the table ;

Which was lost.

The Senate refused to concur in the adverse report ;

YEAS 12, nays 16.

YEAS—Messrs. Barnes, Bell, Cooper, Felder, Forney, Gage, Huckabee, Jones, Kilpatrick, Mitchell, Powell of Tuscaloosa, and Stansel—12.

NAYS—Messrs. President, Ashley, Bulger, Castens, Drake, Edwards, Foster, Garrett, Jackson of Lauderdale, Jackson of M., Montgomery, Moren, Powell of Macon, Sykes, Wood, and Woodliff.—16.

Mr. Jackson of Morgan moved to postpone the further consideration of the bill until 12 o'clock to-morrow, and make it the special order for that hour ;

Which was lost ;

Yeas, 14 ; nays, 18.

YEAS—Messrs. Ashley, Barnes, Bell, Castens, Deason, Felder, Garrett, Huckabee, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Mitchell, and Wood—14.

NAYS—Messrs. President, Boykin, Bulger, Cooper, Drake, Edwards, Forney, Foster, Gage, Jackson of Lauderdale, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, and Woodliff—18.

The bill was read a third time, under the suspension of the constitutional rule, and passed ;

Yeas 19 ; nays 14.

YEAS—Messrs. President, Ashley, Bell, Boykin, Bulger, Castens, Drake, Edwards, Foster, Garrett, Jackson of Lauderdale, Lindsay, Moren, Montgomery, Norwood, Powell of Macon, Sykes, and Woodliff—19.

NAYS—Messrs. Barnes, Cooper, Deason, Felder, Forney, Gage, Huckabee, Jones, Kilpatrick, Mitchell, Powell of Tuscaloosa, Stansel, Winston, and Wood—14.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed bills :

Establishing revenue laws for the State of Alabama ;

Regulating fees of civil officers in the counties of Lauderdale and Lawrence ;

To prohibit the sale of intoxicating liquors, within certain limits, in the county of Limestone ;

To aid by State endorsements the Selma and Meridian railroad company ;

To provide for the improvement of the river, bay and harbor of Mobile.

The House has passed Senate bills :

To authorize the Governor to pardon Peter Martin, jr. ;

To fix the prices to be paid for the public printing ;

To establish a system of internal improvement in the State of Alabama.

T. CLANTON, Clerk.

The committee on Enrolled Bills, report correctly enrolled, the following bills :

An act for the relief of defendants in judgments and decrees rendered since the 11th day of January, 1861 ;

An act to amend sections 16 and 22 of an act entitled an act to incorporate the New Orleans, Mobile and Chattanooga Railroad company, approved 24th November, 1866, and to add additional sections thereto ;

To establish two new election precincts in the county of Clay ;

An act in relation to the sale of books the property of the State;

An act for the relief of Thomas Shea ;

An act to amend section 3925 of the Code ;

To authorize Ellen Elizabeth Deaver, of the county of Blount, to make a title to a certain tract of land therein named ;

An act to authorize the administrator of the estate of Samuel C. McGehee, of Talladega county, to sell lands belonging to said estate, privately ;

An act to register or cancel bonds of the State that have been redeemed ;

To authorize the mayor and aldermen of the city of Tuscaloosa to build a bridge pontoon, and establish a ferry across the Black Warrior river ;

To incorporate the Montgomery Mutual Building and Loan Association ;

To incorporate the Montgomery Chamber of Commerce ;

To authorize the Governor to pardon Peter Martin, jr.

Mr. Foster, from the select committee on apportionment, reported a bill, to divide the State into six Congressional districts ;

The bill was read a twice, under the suspension of the constitutional rule ;

Mr. Bulger, moved to recommit it to the committee on apportionment ;

Which was lost ;

Pending the discussion of the question of ordering the bill to a third reading on to-morrow ;

On motion by Mr. Grant,

The Senate adjourned until half past three o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Garrett moved to suspend temporarily, the consideration of the bill pending at adjournment, that the Senate might take from the House message the Senate bill amended by the House,

To establish a system of Internal Improvement in the State of Alabama ;

Which was carried ;

The amendments of the House were concurred in.

The Senate resumed the consideration of the bill—

To divide the State into six Congressional districts ;

Mr. Kilpatrick, moved to amend as follows:

Transfer Butler from the first to the second district ; and Marengo from the 4th to the 1st ;

Which was adopted ;

And the bill was read a thrid time, under a suspension of the constitutional rule, and passed.

Mr. Garrett moved to take from the general orders the Senate bill—

To encourage agriculture by securing laborers their hire ;

Which was read a third time and passed.

Yeas 19 ; nays 13.

YEAS—Messrs. President, Barnes, Bell, Bulger, Cooper, Edwards, Felder, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Stansel, Sykes, Winston and Woodliff—19.

NAYS—Messrs. Ashley, Boykin, Castens, Deason, Foster, Jackson of Morgan, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, and Wood—13.

By leave, Mr. Felder, a bill to authorize the construction of railroads in the city of Montgomery ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Message from the House by Mr. Clanton.

Mr. President :

The House has passed bills—

To authorize C. F. Adair, widow of Weyman Adair, deceased, late of Talladega county, to sell a one half interest in a mill site and water power for money, property or labor, advanced to erect a mill or other machinery in lieu of one washed off by a freshet ;

To authorize the administrator of the estate of Stanford Mims, deceased, late of Monroe county, to rent or sell the lands of said estate by private contract ;

In reference to reporting and signing enrolled bills—

To incorporate the town of Auburn ;

To authorize the reconsideration of causes in the supreme court ;

To authorize the Governor to institute suit in certain cases ;

To change the time of payment of salaries of officers of the State of Alabama ;

For the relief of St. Clair county.

On motion by Mr. Powell of Tuscaloosa,

The Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, February 12.

The Senate met pursuant to adjournment.

On motion by Mr. Moren, the reading of the journals was dispensed with.

Mr. Lindsay asked that the Committee on Apportionment be allowed to retire from the chamber for a short time to enable them to perfect a report ;

Which was granted.

On motion by Mr. Garrett, the regular business was suspended to allow him to make a special report.

Mr. Garrett, from the Committee on Finance and Taxation, to which was referred the House bill to establish revenue laws for the State of Alabama, reported the following resolution :

Resolved, (the House of Representatives concurring,) That the resolution of the two Houses for an adjournment *sine die* on Thursday, the 14th instant, be rescinded, and that the two Houses will adjourn on Monday, the 18th day of February next ;

Pending the discussion of which a message was announced from the House by Mr. Phelan :

Mr. President :

The House has passed an act to repeal certain acts to amend the charter and fix the eastern boundary of the city of Montgomery ;

To authorize A. J. Walker, the commissioner to prepare the Code of Alabama, to employ a clerk ;

To confer additional powers on courts of county commissioners in this State ;

To extend the jurisdiction of courts of chancery in the settlement of insolvent estates ;

To permanently exempt real and personal property from levy and sale under any legal process for the use of families in this State ;

To hold two terms of the chancery court for the 25th chancery district of the northern division of Alabama, composed of Franklin county ;

To amend section 3055 of the Code of Alabama ;

To extend the time in which executors and administrators may declare estates insolvent ;

To amend an act entitled an act to empower the commissioners court of Winston county to issue county bonds, and levy a special tax, approved December 11th, 1865 ;

For the relief of the judges of probate of Jefferson, St. Clair and Shelby counties ;

In relation to beat officers in this State ;

To amend section 2236 of the Code of Alabama ;

To amend an act entitled an act to limit and construe an act approved January 30th, 1860, entitled an act to construe an act to construe section 1738 of the Code, and for other purposes ;

To exempt justices of the peace from jury duty ;

To extend the jurisdiction of the chancery courts ;

The House concurs in the Senate resolution to rescind joint action to adjourn *sine die* on the 14th, but postpones further action until Monday next.

The House has adopted the following resolution :

Resolved, That the Senate be required to return the bill—

To establish revenue laws for the State of Alabama, back to the House for correction.

On motion by Mr. Garrett—

The business before the Senate was suspended, to allow time to report the House bill—

To establish revenue laws for the State of Alabama ;

And Mr. Garrett reported back the bill, which was then directed to be returned to the House in accordance with their request ;

The Senate resumed the consideration of the resolution to rescind the resolution that the two Houses adjourn on the 14th instant ;

The resolution was adopted—Yeas, 22 ; nays, 9.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Cooper, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Jones, Kilpatrick, Moren, Powell of Macon, Winston, Wood, and Woodliff—22.

NAYS—Messrs. Bulger, Deason, Jackson of Lauderdale, Lindsay, Mitchell, Montgomery, Powell of Tuscaloosa, Stansel and Sykes—9.

Ordered that the resolution be sent forthwith to the House.

Mr. Jackson of Lauderdale, offered the following resolution :

Resolved, That no senator shall speak longer than five minutes at any one time, unless by unanimous leave of the Senate.

On motion of Mr. Powell of Tuscaloosa—

The rule of the Senate requiring the resolution to lie over one day was suspended, and the resolution was not adopted.

On motion by Mr. Garrett—

The Senate proceeded to consider the appointments of the

Governor, appointing a president and trustees of the State Hospital for insane persons ;

The appointments were confirmed.

Message from the House by Mr. Clanton.

Mr. President :

The House concurs in the Senate joint resolution to rescind joint action to adjourn on the 14th inst., but postpones further action until Monday next.

The Senate proceeded to consider the special orders :

The bill to regulate certain appeals, being on its second reading,

Was referred to the Judiciary Committee.

The Senate proceeded to consider the messages from the House.

The Senate concurred in the House amendment to the Senate bills—

To incorporate the Montgomery Water Works Company ;

To add a portion of the county of Cleburne to the county of Talladega ;

To authorize John Whiting, Commissioner and Trustee, to make a deed to Isaac E. Young ;

To charter a ferry across Coosa river, at or near Cedar Bluff, in Cherokee county.

The Senate proceeded to consider the amendments of the House to the Senate bill—

To encourage sheep-raising in this State.

Mr. Foster moved to amend the House amendment by striking out the county of Cherokee ;

Which carried ;

And the amendment, as amended, was concurred in.

The Senate disagreed to the House amendment to the Senate bill—

To organize a chancery district of certain counties therein named ;

To provide for the permanent location of the court house of Choctaw county.

The House bills—

For the relief of Mobile county ;

To require new counties to be furnished with Acts and Supreme Court Reports ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The House bills—

To establish a county court for Pike county, and to repeal section 387 of the Penal Code, so far as the same relates to Pike county ;

To permanently exempt from levy and sale real and personal property, under any legal process, for the use of families in this State ;

For the relief of Azariah Cobb, of Jackson county ;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bills—

For the relief of John Callahan, of Montgomery ;

To relieve Harris & Hoyt ;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

To incorporate Allenton, in Wilcox county ;

To incorporate the Barnett Manufacturing Company ;

To incorporate the town of Summerfield, in Dallas county ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bill—

To attach a portion of Coosa county to the county of Shelby ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on County Boundaries.

The House bill—

To incorporate the Sipsey Bridge Company ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Roads, Bridges and Ferries.

The House bill—

For the relief of Joseph F. Fason, of Greene county ;

Was read twice, under the suspension of the constitutional rule, and referred to the Committee on 16th Sections.

The House bill—

To change the boundary line between the counties of Coosa and Talladega ;

Was read twice, under a suspension of the constitutional rule, and referred to a Special Committee, composed of Messrs. Garrett and Montgomery.

The House bill—

To provide for the election of the county treasurer of Elmore county ;

Was read twice, under the suspension of the constitutional

rule, and referred to a Special Committee, composed of Messrs. Garrett, Bulger and Felder.

The House joint resolution in reference to reporting and signing enrolled bills ;

Was read and referred to the Committee on the Rules of the Senate.

The consideration of the House messages was suspended to allow the introduction of bills and petitions.

Mr. Huckabee introduced a bill for the relief of W. H. Tilford and Kenon Agee, of Marengo county ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Moren presented a communication from John Moore, of Marion, in relation to the tax assessor of Perry county ;

Which was referred to the Committee on Finance and Taxation.

Mr. Stansel, a bill to regulate the collection in new counties ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Foster, a bill to authorize W. L. Young, of Washington county to make a canal ;

Which was read twice under a suspension of the constitutional rule, and referred to the committee on Internal Improvements.

Mr. Lindsay, a bill to provide for the adjustment of the indebtedness of the county of Franklin, between that county and the county of Colbert ;

Mr. Forney, a bill to attach the counties of Baine, Cleburne and Clay, to the 35th, 36th and 37th chancery districts, Northern Chancery Division ;

Mr. Cooper, a bill to amend an act for the relief of defendants in judgments and decrees rendered since the 11th day of January, 1861 ;

Mr. Cooper, a bill to amend an act to authorize the probate judge of Pike county to grant letters of administration on the estate of Homer V. Howard to Elizabeth G. Howard ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Forney, a bill to incorporate the Gadsden Real Estate and Building Association ;

Which was read twice under the suspension of the constitutional rule and referred to the committee on Corporations.

The Senate resumed consideration of House messages ;

The House bills—

For the relief of John D. Leverett, of the county of Chambers ;

To prohibit the sale of intoxicating liquors within certain limits in the county of Limestone ;

To authorize A. S. Nelson, guardian of Carrie N. Goree to make such contract as may be necessary to secure the cultivation of his wards estate ;

To authorize Jane S. Ware, administratrix of the estate of James A. Ware, deceased, of Montgomery county, to sell personal property and rent estate at private sale ;

To amend an act to prevent the sale of spirituous liquors in quantities less than one gallon within three miles of Danville, in Morgan county ;

To require probate judges to make quarterly settlements with the county treasurers ;

For the relief of Thos. G. Cole, of the county of Choctaw ;

To authorize the construction of a railroad between Gainsville and Eutaw and a connection between roads at those points ;

To lay off the county of Dale into four commissioners districts ;

To provide for the improvement of the river, bay and harbor of Mobile ;

To renew the charter of the South-Western Railroad Company, granted in 1857 and 1858, to extend their road across the State of Alabama from Franklin on the Chattahoochee to Mobile ;

To amend the charter and to fix the Eastern boundary of the city of Montgomery ;

To incorporate the Selma Cotton Press Company ;

Regulating proceedings in the probate court of Madison county ;

To incorporate the Cornwall Iron Works Company, and to grant said company certain privileges therein specified ;

To incorporate the Firemen's Club of Mobile ;

To amend the charter of the Commercial Savings Company of Mobile, approved February 23, 1866 ;

For the relief of James B. Farmer, late sheriff of Calhoun county ;

To amend the charter of the Factors and Grocers Marine and Fire Insurance Company, approved December 4, 1863 ;

To prohibit the sale of spirituous liquors within five miles of Cahaba Coal Mines in Shelby county, Alabama ;

To prohibit the sale of spirituous liquors within five miles of Harmony church in Shelby county ;

To change the name of the Alabama and Tennessee Central Railroad Company ;

To incorporate the Sipsey Falls Manufacturing Company ;

To repeal an act establishing the city court of Eufaula, Barbour county ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill—

To change the county lines between the counties of Lee and Tallapoosa ;

Was read three times under a suspension of the constitutional rule and passed—Yeas, 27 ; nays, 2.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Cooper, Deason, Drake, Felder, Forney, Gage, Garrett, Huckabee, Jackson of Morgan, Jones, Kilpatrick, Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, Winston, and Woodliff—27.

NAYS—Messrs. Foster and Wood—2.

Mr. Huckabee from the select committee to which was referred the House bill—

To repeal in part an act to prohibit the sale of spirituous liquors in sundry places in Marengo county ;

Reported the same back to the Senate with an amendment ;

Which was adopted and the bill read a third time and passed.

On motion of Mr. Garrett—

The words “in part” were stricken from the title.

The House bill—

To prevent and punish unlawful hunting, and other trespass ;

Was read twice under a suspension of the constitutional rule ;

And Mr. Felder moved to postpone indefinitely its consideration ;

Which was lost.

Mr. Powell of Tuscaloosa moved to strike out “Tuscaloosa and Chambers” where they occurred ;

Which carried.

Mr. Felder moved to strike out “Montgomery” where it occurred ;

Which carried.

Mr. Powell of Tuscaloosa moved to amend by proviso, as follows :

Provided, That the provisions of this act shall not apply to citizens of counties other than those named in the act ;

Which was lost.

Mr. Drake moved that the word "Madison" be stricken out ;
Which carried.

Mr. Huckabee moved to insert Hale ;
Which carried.

Mr. Jackson of Lauderdale moved to strike out "Limestone,"
Which carried.

Mr. Lindsay moved to strike out all after the word "committee," in second section.

Which carried.

Mr. Felder moved to amend by the following proviso :

Provided, That no person living in any county named in this act, shall hunt, fish, range or fowl in any county not named, and for any violation shall be subject to the penalties herein set forth ;

Which was adopted.

Mr. Cooper moved the previous question, and the question being, shall the main question be now put—

It was put and carried ;

And the question being on ordering the bill to a third reading, on to-morrow ;

It was put and lost.

The House bill for the relief of W. D. Harper, late sheriff of Morgan county ;

Was read twice, under a suspension of the constitutional rule, and ordered to a third reading on to-morrow.

The House bills—

To regulate the fees of officers in the counties of Russell and Bullock ;

To regulate the fees of civil officers in the counties of Lauderdale and Lawrence ;

To authorize the removal of the administration of the estate of S. F. Freeman from the county of Russell to the county of Lee ;

To increase the fees of public officers of the counties of Choctaw and Limestone ;

Were severally read twice, under the suspension of the constitutional rule, and laid on the table.

Mr. Garrett, from the Committee on Finance and Taxation, reported adversely to the bill—

To require the Governor to endorse the bonds of the Selma and Meridian Rail Road Company.

On motion of Mr. Cooper, the bill and report were laid on the table.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to establish a medical board in the county of Jefferson ;

An act for the preservation of oysters in this State ;

An act to authorize Burgess Bennett to take out letters of guardianship in this State ;

An act to incorporate the Ripville Manufacturing Company ;

An act for the relief of Barbara M. Ralph ;

An act to authorize the mayor and aldermen of the city of Tuscaloosa to issue the bonds of the city, for the purposes therein named ;

An act to authorize the commissioners court of Morgan county to re-issue county treasury notes ;

An act to incorporate the Hebrew Ladies Benevolent Society ;

An act to establish the county line between the counties of Cherokee and DeKalb, on the Lookout Mountain.

Message from the Governor by his private secretary, Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

To authorize the Governor to pardon Peter Martin, Jr.

To incorporate the Montgomery Mutual Building and Loan Association ;

To amend and continue in force an act entitled an act to incorporate a company to build a bridge across the Black Warrior river, opposite the town of Tuscaloosa, approved January 2, 1833 ;

To incorporate the "Montgomery Literary Society", a literary and library association, in the city of Montgomery ;

To amend an act to incorporate the Eufaula Home Insurance Company, approved Feb. 9, 1861 ;

To incorporate the Fort Deposit Institute in Lowndes county ;

To authorize the Alabama and Florida Railroad Company of Florida to purchase from the Alabama and Florida Railroad Company of Alabama, their road from the State line of Florida to the town of Pollard, in the county of Conecuh, and to work, conduct and manage the same ;

To fix the fees of the Clerk of the Supreme Court for binding up the records of Supreme Court cases ;

For the relief of John B. Earp, of Fayette county ;

To incorporate the Union Springs Savings Association ;

To change the boundary line between the counties of Butler and Crenshaw ;

To authorize the mayor and aldermen of the city of Tuscaloosa to build a bridge pontoon, and establish a ferry across the Black Warrior river ;

To incorporate the Montgomery Chamber of Commerce ;

To extend the provisions of an act therein named to the counties of Pickens, Fayette and Franklin ;

To authorize George Erwin, of Greene county, to pay the taxes in Marengo county ;

To legalize the appointment of Alex. K. Martin, of Jefferson county, as trustee, under the wills of John and Sarah Martin ;

An act for the relief of defendants in judgments and decrees rendered since the 11th day of January, 1861 ;

To establish a medical board in the county of Jefferson ;

To authorize Ellen Elizabeth Deaver, of the county of Blount, to make a title to a certain tract of land therein named ;

An act in relation to the sale of books the property of the State ;

An act to register or cancel bonds of the State that have been redeemed ;

An act to authorize the administrator of the estate of Samuel G. McGehee, of Talladega county, to sell lands belonging to said estate privately ;

An act for the relief of Thomas Shea ;

To establish two new election preincts in the county of Clay ;

An act to amend section 3925 of the Code.

Mr. Cooper, from the Judiciary Committee, reported favorably to the bill—

To fix a limit to suits on foreign judgments or decrees ;

Pending the consideration of which,

On motion by Mr. Moren,

The Senate adjourned until half-past three this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment,

And resumed the consideration of the bill, pending at adjournment ;

It was read a third time, and the question being on its passage,

It was lost.

Mr. Cooper from the committee on Finance and Taxation, reported favorably to the bill—

To amend section 398 of the Code, in reference to the transfer of licenses ;

Which was read a third time under the suspension of the constitutional rule and passed.

The consideration of the House messages was resumed, to allow certain senators to make reports.

Mr. Foster, from the committee on Accounts and Claims, reported adversely to the petition of T. D. Enis ;

The report was concurred in.

Mr. Barnes from the Judiciary Committee, made the following report—

The Judiciary committee, to whom was referred the resolution instructing said committee to inquire “when the officers of the county of Elmore, elected on the 2d Monday in January, 1867, will expire,” have considered the same.

The committee is of opinion, that the judge of probate will hold his office under the 12th section of the State Constitution for the term of six years, and that his term will expire on the 2d Monday in January, 1873; that the special law organizing said new county, changed the general election for that particular election from the 1st Monday in May for the 2d Monday in January ; that this will be applicable to this particular election ; that the general law placing the elections for the 1st Monday in May, attaches again, and the subsequent elections for judge of probate of said county under the general law, will have to be on the 1st Monday in May.

The clerk of the circuit court, under the same reasoning, will hold for four years, and whose term will end on the second Monday of January, 1871. The general election for clerk is the first Monday in August. The sheriff will hold for three years, and his term will end on the second Monday in January, 1870. The general election for sheriffs is the first Monday in August.

In the opinion of the committee, the same rule as to term of office, applies to the other officers elected in said new county. The committee suggest that the chasm from the 2d Monday in January to the regular election for each of their respective officers, may be healed or remedied by ordering by law that the election for the respective officers shall be had on the last regular election preceding the expiration of their respective terms of office ; or that it may be provided that the Governor may fill the vacancies which may occur in said offices by the expiration of their respective terms, by appointment until the next regular or general election after said respective expiration of their respective terms.

On motion by Mr. Garrett,

The report was laid on the table.

Mr. Barnes, from the Judiciary Committee, reported a substitute for the House bill—

To provide pay for the grand and petit jurors and court of county commissioners of the county of Franklin ;

The substitute was adopted,

And the bill read a third time, under the suspension of the constitutional rule, and passed.

Also, a substitute for the bill to prescribe the rate of compensation of the sheriff and coroners of Montgomery and Dallas, in cases where attachments are levied by them, and the property replevied, or the case settled without a sale ;

The substitute was adopted,

And the bill read a third time and passed.

Mr. Cooper moved to reconsider the vote by which the House bill—

To repeal an act establishing the city court of Eufaula, in Bullock county, was passed ;

Which motion was lost.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported adversely to the Senate bill which, with the House amendments, were referred to it—

To authorize executors and administrators to rent lands privately ;

Recommending that the Senate disagree to the House amendments ;

The report was concurred in, the Senate disagreeing to the House amendments.

Mr. Bulger, from the Committee on Apportionment, reported a bill—

To divide the State into Senatorial districts, and provide for the election of Senators to the General Assembly.

Mr. Ashley moved to amend by substitute ;

And the consideration of the bill and substitute were postponed until to-morrow 11 o'clock, and made the special order for that hour.

Mr. Barnes, from the Judiciary Committee, reported adversely to the House bill—

To compensate sheriffs in certain cases of attachments ;

The report was concurred in, and the bill lost.

Also, from the same committee, favorably to

The House bill—

Prohibiting judges of this State from practicing law in the courts of this State ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Yeas 23 ; nays 5.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Cooper, Drake, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Macon, Stansel, Winston, Wood, and Woodliff—23.

NAYS—Messrs. Bulger, Castens, Deason, Edwards, and Powell of Tuscaloosa—5.

By leave, Mr. Lindsay introduced a bill to create a new chancery district called Colbert District, and to regulate the holding of chancery courts in certain districts ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Deason moved to take from the table,

The House bill—

For the relief of the judges of probate of Jefferson, St. Clair and Shelby counties ;

Which carried.

Mr. Forney moved to amend by inserting the word “present” before the words “judges of probate ;”

Which was adopted.

Mr. Castens moved to amend by adding Russell after Shelby ;

Which was adopted, and the bill read a third time and passed.

Mr. Kilpatrick, from the Judiciary Committee, reported favorably to the bill—

In relation to appeals from judges of probate ;

Also, from the same committee, favorably to the House bill to create an additional term of the chancery court for the 38th chancery district of the Northern chancery division, composed of the county of St. Clair ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Forney, from same committee reported favorably to the House bill—

In relation to the competency of witnesses.

Mr. Powell, of Tuscaloosa, moved to lay the bill on the table ;

Which was lost.

It was then read a third time under the suspension of the constitutional rule, and passed.

Yeas 16 ; nays 14

YEAS—Messrs. Barnes, Deason, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Jones, Lindsay, Montgomery, Stansel, Sykes, and Wood—16.

NAYS—Messrs. President, Ashley, Boykin, Castens, Cooper, Drake, Jackson of Lauderdale, Kilpatrick, Mitchell, Moren,

Norwood, Powell of Macon, Powell of Tuscaloosa, Winston, and Woodliff—14.

Message from the House by Mr. Phelan :

Mr. President :

The House has originated and passed the following bills—

To amend section 2587 of the Code of Alabama ;

In relation to suits against joint obligers ;

To authorize the court of county commissioners of Macon county to issue bonds ;

For the relief of Mary Jane Jones, of Sumter county ;

To amend section 152 of the Code of Alabama ;

To provide a special supreme court in certain cases.

On motion of Mr. Powell, of Macon,

The Senate then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, February 13.

The Senate met pursuant to adjournment.

Upon the call of the districts, the following bills were introduced :

Mr. Gage, a bill to incorporate the Mobile and St. Lewis Transportation and Insurance Company ;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations ;

Mr. Felder, a bill to allow John W. Hughes, administrator of Chas. A. Clapp, deceased, to sell the interests of said deceased in the ferry and ferry landings and land attached thereto, opposite the city of Montgomery, Alabama ;

Also, a bill to allow Bolling Hall to establish a ferry across the Alabama river opposite the city of Montgomery, Alabama ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Ordered forthwith to the House.

Mr. Powell of Tuscaloosa, a bill to amend section 724 of the Code ;

Mr. Moren, a bill to provide for the collection of taxes, in Perry county, for the payment of the tax on real estate, and for the relief of the tax assessor of said county ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

Mr. Jackson of Lauderdale, a bill to authorize the Secretary

of State to furnish books to the solicitor of the 4th judicial circuit;

Which was read twice, under the suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Also, a bill to create the office of State Geologist ;

Which was read twice under the suspension of the constitutional rule, and referred to the Committee on Education.

Message from the House by Mr. Clanton :

Mr. President :

The House has amended the Senate resolution—

To rescind the joint action to adjourn *sine die* on the 14th, and fixing the adjournment on the 18th, by striking out so much as fixes the day, and as amended, has adopted the same.

T. CLANTON, Clerk.

On motion by Mr. Garrett,

The message just communicated from the House, was taken up.

The question being on concurring in the amendment of the House, it was put and carried.

Yeas 21 ; nays 11.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Drake, Edwards, Felder, Gage, Garnett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Montgomery, Moren, Norwood, and Powell of Macon—21.

NAYS—Messrs. Deason, Forney, Foster, Kilpatrick, Lindsay, Mitchell, Powell of Tuscaloosa, Stansel, Winston, and Woodliff—11.

Mr. Edwards moved to reconsider the vote by which the House bill—

To prevent and punish unlawful hunting and other trespasses, was lost on yesterday.

The motion was lost.

Mr. Montgomery moved to reconsider the vote by which the House bill—

To change the name of the Tennessee and Alabama Central Railroad Company—

Was passed on yesterday ;

Also, the vote ordering the bill to a third reading.

The further consideration of the bill was postponed until to-morrow.

Mr. Drake, from the Committee on 16th Sections, reported favorably to the bill to authorize a patent to issue for lot No. 11 of section 16, township 16, range 16 ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Also, a bill to authorize the Governor to settle with the lessees of the penitentiary for repairs, and to purchase grounds for the use of the penitentiary ;

Which was read twice, under a suspension of the the constitutional rule, and referred to the Committee on Penitentiary.

Mr. Jones, from the Committee on Corporations, reported favorably to the House bill—

To incorporate the town of Dadeville, in Tallapoosa county;

Mr. Bulger moved to amend by adding the following proviso :

Provided, That the foregoing provisions of this act shall not go into effect unless approved by a majority of the qualified voters within the corporate limits, at an election to be ordered by the judge of probate of said county, whose duty it is hereby made to order, and such election to be held at as early a day as practicable.

The amendment was adopted, and the bill read a third time, under a suspension of the constitutional rule, and passed.

The House messages being next in order, the further consideration of them was suspended to take up the special order—

To divide the State into Senatorial districts, and to provide for the election of Senators to the General Assembly ;

The question pending being on the adoption of the substitute ;

On motion of Mr. Ashley, the substitute was withdrawn.

Mr. Ashley moved to amend the bill as follows :

2d section strike out "Wilcox" and insert "Conecuh."

In 10th district strike out "Lowndes" and insert "Wilcox."

In 14th district strike out "Shelby" and insert "Lowndes."

In 21st district strike out "Walker" and insert "Shelby."

In 29th District insert "Walker."

On motion of Mr. Barnes, the further consideration of the bill and amendments were postponed until to-morrow morning 11 o'clock, and made the special order for that hour.

The Senate then resumed the consideration of the House messages,

The Senate bill amended by the House—

To declare judgment liens upon the property of defendants,
Was next considered ;

Mr. Cooper, moved to amend the House amendment by proviso ;

Provided, The liens shall not extend to property not in the county when the lien is created ;

The bill with the amendments, was recommitted to the Judiciary committee ;

The Senate bill, for the allowance of off-sets in certain cases, where statutes of limitations is pleaded, as amended by the House ;

Was referred to the Judiciary Committee.

The Senate concurred in the amendments of the House to the Senate Bill—

To authorize Mrs. N. A. Carleton, to invest the money of certain wards ;

The House bills—

In relation to Beat officers in this State ;

To amend section 3055 of the Code ;

To extend the jurisdiction of the chancery courts ;

To amend an act entitled an act to limit and construe an act approved January 30, 1860, entitled "An act to construe section 1738 of the Code," and for other purposes ;

Were severally read twice under the suspension of the constitutional rule and referred to the Judiciary Committee.

The House bills—

To authorize Mrs. C. F. Adair, widow of Wyman Adair, deceased, late of Talladega county, to sell one half interest in a mill site and water power, for money, property or labor, advanced, to erect a mill or other machinery, in lieu of one washed off by the freshet ;

To incorporate the town of Auburn ;

To exempt justices of the peace and constables from jury duty ;

To extend the time in which executors and administrators may declare estates insolvent ;

To amend an act entitled an act to empower the commissioners court of Winston county to issue county bonds, and levy a special tax, approved December 11, 1865 ;

To continue in force the Selma and Montgomery Navigation Company ;

To declare certain citizens therein named citizens of Calhoun county ;

To authorize the administrator of the estate of Stanford Mims, deceased, late of Monroe county, to rent or sell the lands of said estate by private contract ;

To authorize the Governor to institute suits in certain cases ;

To change the time of payment of the salaries of officers of the State of Alabama ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill—

To authorize A. J. Walker, commissioner to revise the Code, to employ a clerk ;

Was read twice, under a suspension of the constitutional rule ;

And, on motion by Mr. Garrett, its further consideration postponed indefinitely.

Yeas 18 ; nays 13.

YEAS—Messrs. President, Ashley, Bell, Bulger, Drake, Edwards, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Jones, Mitchell, Moren, Powell of Macon, Powell of Tuscaloosa, Sykes and Winston—18.

NAYS—Messrs. Barnes, Boykin, Castens, Cooper, Deason, Felder, Forney, Kilpatrick, Lindsay, Montgomery, Stansel, Wood and Woodliff—13.

The House bill—

For the relief of James Gober, of Franklin county ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

The House bill—

To incorporate the Decatur and Guntersville Rail Road Company ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Internal Improvements.

The House bill—

For the relief of Felix G. Hubbard, of Russell county ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Barnes, a bill to declare the legal effect of deeds in which married women join with their husbands in conveying the lands of their said husbands ;

Which was read twice, under the suspension of the constitutional rule and referred to the Committee on the Judiciary.

Mr. Powell of Macon, a bill to attach the county of Bullock to the 31st chancery district, southern chancery division ;

Which was read twice, under the suspension of the constitutional rule.

Mr. President moved to amend by an additional section, as section 2.

The bill and amendment were referred to a select committee of Messrs. Lindsay, Forney, Powell of Macon, and Jones.

Mr. Edwards, a bill to change the boundary lines between the counties of Baine, Blount and St. Clair ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Yeas 27, nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Drake, Edwards, Forney, Gage, Garrett, Huckabee, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, and Woodliff—27.

Mr. Felder, a bill to construe the first section of an act to authorize the lessees of the Penitentiary to work the convicts outside of the walls, approved December 7, 1866.

Pending the consideration of which,

On motion by Mr. Montgomery,

The Senate adjourned until half past three o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

And resumed the consideration of the bill—

To construe section 1 of an act to authorize the lessees of the penitentiary to work the convicts outside the walls, approved December 7, 1866 ;

Which was referred to the Committee on the Penitentiary.

Mr. Moren, from the Committee on Internal Improvements, reported favorably to the bill—

To authorize counties, cities and towns in this State, to subscribe to the capital stock of railroad companies.

Mr. Cooper, from the Committee on Finance and Taxation, reported favorably to the bill—

For the relief of W. H. Tilford, and Kennon Agee, of Marengo county.

Mr. Forney, from the Committee on Corporations, reported favorably to the bill—

To incorporate the Gadsden Real Estate and Building Association.

Mr. Winston, from the Committee on Propositions and Grievances, reported favorably to the bill—

In relation to camp-hunting in Winston county.

Mr. Deason, from the Committee on Internal Improvements reported favorably to the bill—

To authorize W. L. Young, of Washington county, to make a canal therein named, and authorize him to charge toll.

Mr. Woodliff, from the same committee favorably to the bill—

To authorize the town council of Livingston to levy a special tax to aid in building the N. E. & S. W. Railroad.

Mr. Jones, from the Committee on Corporations, favorably to the bill—

To repeal section 5 of an act to incorporate the Perote Male and Female High School, approved February 21, 1860.

Mr. Forney, from the Judiciary Committee, favorably to the bill—

To amend section 2334 of the Code.

Mr. Felder, from same committee, favorably to the bill—

To authorize the administratrix of David C. Neal, deceased, to sell land at private sale.

Mr. Jones, from the Committee on Corporations, favorably to the House bills—

To incorporate the town of Allenton, in Dallas county ;

To incorporate the town of Summerfield in Dallas county.

Mr. Felder, from the Judiciary Committee, reported favorably to the House bill—

To give the consent of the State of Alabama to a donation made to the United States of a lot of land in the cities of Mobile and Montgomery for the purpose of constructing a national cemetery, and to cede the jurisdiction over the same.

Mr. Moren, from the Committee on Accounts and Claims, favorably to the House bills—

To relieve Harris & Hoyt, of Montgomery ;

For the relief of John Callahan, of Montgomery.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably to the House bill—

For the relief of Mobile county ;

All of which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably with amendment to the House bill—

To amend an act to authorize the court of county commissioners of the counties of Coosa, Macon and Lowndes to issue county bonds for the building of bridges in said counties, approved January 26th, 1866.

Mr. Jones, from the Judiciary Committee, reported favorably to the House bill—

To reorganize the terms and time of holding the courts of chancery in the middle chancery division ;

Mr. Powell of Macon, from the Committee on Finance and Taxation, reported favorably, with an amendment, by way of substitute to the House bill—

To require new counties to be furnished with Acts and Supreme Court Reports ;

Mr. Lindsay, from the Judiciary Committee, reported favorably, with an amendment, by way of substitute to the House bill—

To amend an act to define the powers of justices of the peace in the counties of Dallas, Pickens and other counties ;

Mr. Deason from the Committee on Corporations, reported favorably, with an amendment, to the bill to incorporate the Indian Hill Manufacturing Company ;

The amendments were adopted,

And the bills severally read a third time, under the suspension of the constitutional rule and passed.

Mr. Forney, from the Judiciary Committee, reported a substitute for the bill to define the authority of the clerk of the city court of Selma, with the following title :

To authorize the clerk of the city court of Selma to issue such attachments as clerks of the circuit courts of this State are authorized to issue ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Winston, from the Committee on Propositions and Grievances, reported adversely to the petition of sundry citizens of Jackson county, asking a repeal of the law making Mud creek a high-way ;

Mr. Felder, from the Judiciary Committee, adversely to the bill to regulate the value of contracts made prior to the first day of May, 1865 ;

Mr. Jones, from the Judiciary Committee, reported adversely to the bill to fix the compensation of guardians in annual settlements ;

Also, from same committee, adversely to the bill to regulate judicial proceedings ;

All of which were concurred in.

Mr. Lindsay, from same committee, reported adversely to the House bill—

To regulate the practice in criminal cases ;

Mr. Jones, from same committee, reported adversely to the House bill—

To amend section 139 of the Code, as to Marengo county ;

Also, from Committee on Corporations, adversely to the House bill—

To incorporate the Barnett Manufacturing Company ;

Mr. Winston, from the Committee on Propositions and Griev-

ances, reported favorably, with amendment, to the bill for the relief of J. M. Daniel and others ;

Which, on motion by Mr. Garrett, was postponed until 11 o'clock to-morrow.

Mr. Felder from the Judiciary Committee, reported favorably to the House bill—

To attach a part of township 6, range 17, in the county of Covington to the county of Crenshaw ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Yeas 30 ; nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay; Mitchell, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, Wood and Woodliff—30.

Mr. Lindsay, from the Judiciary Committee, reported adversely to the bill—

To fix the fees to be charged and collected by the judge of probate of Elmore county.

On motion by Mr. Garrett,

The bill and report were laid on the table.

Mr. Powell of Tuscaloosa moved to reconsider the vote by which the bill to construe section one of an act to authorize the lessees of the Penitentiary to work the convicts outside the walls, approved Dec. 7, 1866, was referred to the Committee on the Penitentiary ;

Which was carried;

And the bill referred to the Judiciary Committee.

Mr. Lindsay, from the Committee on Education, reported favorably to the House bill—

To establish a uniform and efficient system of public instruction in the State of Alabama, and to repeal the act "to render more efficient the system of public schools in the State of Alabama, approved February 14th, 1856, and the act "to amend an act to render more efficient the system of free public schools in the State of Alabama," approved Feb. 24, 1860 ;

Which, on motion by Mr. Lindsay,

Was postponed until Friday, 12 o'clock, and made the special order for that hour.

Mr. Edwards, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to regulate the place of holding sheriff's sale in Bibb county ;

An act in relation to the interest upon the State debt falling due in the months of May, June and July ;

An act to authorize the commissioners court of Russell county to issue treasury notes ;

An act to add a portion of the county of Cleburne to the county of Talladega ;

An act to incorporate the Pioneer Fire Company, of Greenville.

Message from the Governor by his private Secretary Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

To amend sections 16 and 22 of an act entitled an act to incorporate the New Orleans, Mobile and Chattanooga Railroad Company, approved November 24, 1866, and to add additional sections thereto ;

To incorporate the Hebrew Ladies Benevolent Society ;

To authorize the commissioners court of Morgan county to re-issue county treasury notes ;

To authorize the mayor and aldermen of the city of Tuscaloosa to issue the bonds of the city for the purpose therein named ;

For the relief of Barbara M. Ralph ;

To incorporate the Ripville Manufacturing Company ;

To authorize Burgess Bennett to take out letters of guardianship in this State ;

For the preservation of oysters in this State ;

To establish the line between the counties of Cherokee and DeKalb, on the Lookout Mountain.

Message from the House by Mr. Phelan :

Mr. President :

The House has passed bills—

For the relief of St. Clair county ;

To authorize the commissioners court of the county of Pickens to purchase lands upon which to locate and provide for the poor of the county ;

To establish a board of public works for the State of Alabama ;

To regulate the issuance of executions from the probate court in certain cases ;

For pro-rata payment of existing county debt in the formation of new counties;

To define and punish a violation of the provisions of an act entitled an act to give a lien on the crop and stock, for advances to assist in making the crop;

Authorizing the joining as parties defendants all the obligors on notes, bills, bonds and other evidences of debt in actions at law;

To authorize Reuben F. Nix to establish a ferry across Talapoosa river;

To amend the charter of the Mobile Exchange and General Insurance company;

For the protection of mechanics and laborers;

To amend section 480 of the Penal Code of Alabama,

To amend section 2206 of the Code of Alabama;

To incorporate the Tuskegee Hook and Ladder company;

In reference to the navigation of the Coosa river;

To amend an act to incorporate the town of Opelika;

Giving the right of appeal, in cases pending before judges of probate;

To change the boundary line between the counties of DeKalb, Marshall and Baine;

To substitute the judge of the city court of Selma, in the place of the probate judge of Dallas county, in certain cases;

The House has passed Senate bills—

To legalize a certain guardianship therein named, and certain sales therein named, made by the guardian;

To amend section 6 of an act to regulate judicial proceedings, approved February 20, 1866;

To construe an act to regulate judicial proceedings, approved January 20, 1866;

To require sheriffs and other officers selling lands, to make titles or deeds thereto;

To authorize the issuance of executions, in certain judgments, without a revival;

To extend the time of reporting estates insolvent;

To provide blank books for records, in Conecuh, Fayette and Jackson counties;

To prohibit the sale of vinous or spirituous liquors, within two miles of the factory of Gibson, McDaniel & Co., in Tuscaloosa county;

To amend section 511 of the Penal Code;

To authorize H. J. Askew, of Marengo county, as administrator of Dr. W. Woolf, to rent or sell certain lands privately;

To amend section 3 of an act to amend the laws regulating

the settlements of estates of deceased persons, approved February 5, 1858 ;

For the relief of Caledonia Green of the county of Calhoun, and permit her to marry ;

For the protection of executors, administrators and guardians, in Bibb county ;

For the relief Thomas C. Tartt, of Sumter county.

The House rejects Senate bill—

To repeal an act to allow creditors without liens, to file bill for the collection of debts in certain cases, approved February 24, 1860 ;

To remove the administration of B. J. West, deceased, from the probate court of Pike county, to the probate court of Butler county.

The House has amended, as therein shown, and passed Senate bills—

For allowances of off-sets in certain cases where the statute of limitations is pleaded ;

To declare judgments liens upon the property of defendants ;

To authorize Mrs. A. M. Carleton to invest the money of certain wards ;

Mr. Forney from the Judiciary Committee, reported a substitute for the bill—

To amend section 570 of the Penal Code ;

The question being on the adoption of the substitute,

On being put, it was adopted.

Mr. Lindsay moved to indefinitely postpone the bill—

Which was lost. Yeas 13 ; nays 18.

YEAS—Messrs. Castens, Deason, Drake, Edwards, Garrett, Jackson of Morgan, Jones, Lindsay, Norwood, Powell of Tuscaloosa, Sykes, and Wood—13.

NAYS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Cooper, Felder, Forney, Foster, Gage, Huckabee, Kilpatrick, Mitchell, Montgomery, Moren, Powell of Macon, and Winston—18.

Mr. Norwood moved to amend by proviso—

Provided, That the provisions of this act shall not apply to the counties of Jackson, Fayette, Marion and Jones ;

The Senators from the respective counties moved to amend by proviso, adding the names of Colbert, Franklin, Lauderdale, Limestone, Morgan, Tuscaloosa, Lawrence, Winston, and Walker ;

The question then was on the adoption of the amendment ;
Pending the discussion of which,

On motion by Mr. Powell of Tuscaloosa—

The Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, February 14.

The Senate met pursuant to adjournment.

On motion by Mr. Powell of Macon—

Leave of absence was granted to Mr. Mitchell during the remainder of the session.

Upon the call of the districts the following bills were introduced :

Mr. Gage, a bill—

To incorporate the Manassas Club of Mobile.

Mr. Felder, a bill—

To amend an act to authorize the commissioners court of Chambers and Montgomery counties to issue treasury notes to pay the present indebtedness of said counties to pay for the building of bridges, enlarging and repairing the courthouse and jail, and for other county purposes, approved December 7th, 1866 ;

Also, a bill—

To increase the pay of the members of the commissioners court of Montgomery county.

Mr. Winston, a bill—

To appoint commissioners for the town of Warrenton, in the county of Marshall ;

Which were severally read three times under a suspension of the constitutional rule and passed.

Mr. Bell, a bill—

For the relief of Abram R. Drake, of Randolph county ;

Was read twice under the suspension of the constitutional rule and referred to the Committee on Propositions and Grievances.

The Senate proceeded to consider the bill pending at adjournment on yesterday, being the bill—

To amend section 670 of the Code.

The question pending was on the adoption of the amendment of Mr. Norwood, exempting certain counties from the operations of the bill ;

Which was lost—Yeas, 12 ; nays, 19.

YEAS—Messrs. Drake, Edwards, Foster, Garrett, Jackson of Morgan, Jones, Lindsay, Mitchell, Powell of Tuscaloosa, Stansel, Sykes and Woodliff—12.

NAYS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bul-

ger, Castens, Cooper, Deason, Felder, Forney, Gage, Huckabee, Jackson of Lauderdale, Kilpatrick, Montgomery, Moren, Powell of Macon, and Wood—19.

The bill was ordered to a third reading.

Mr. Felder, from the Judiciary Committee, reported favorably to the bill—

To construe the first section of an act to authorize the lessees of the penitentiary to work the convicts outside the walls, approved Dec. 7, 1866 ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Stansel, from same committee, reported adversely to the House bill—

To amend section 1 of an act to authorize John R. Hubbard, guardian of Thomas, Mahala, and Henry Byrd, to dispose of a certain tract of land, approved January 31, 1866 ;

Which report was concurred in.

On motion by Mr. Stansel, the vote just taken by which the Senate concurred in the adverse report of the Judiciary Committee, was reconsidered, and the report laid on the table ;

And the bill read the third time, under the suspension of the constitutional rule, and passed.

Also, from Committee on Education, adversely to the bill—

To create the office of State Geologist.

The report was concurred in.

Mr. Lindsay, from the Judiciary Committee, reported favorably to the House bill—

To establish a county court of Pike county, and to repeal section 387 of the Penal Code, so far as the same applies to the county of Pike.

Mr. Barnes, from same committee, favorably to the bill—

To declare the legal effects of deeds in which married women join with their husbands in conveying the lands of their said husbands ;

Which were severally read a third time, under the suspension of the constitutional rule, and passed.

Mr. Forney, from same committee, reported adversely to the House bill—

To prevent the court of county commissioners of Walker county from levying unlawful taxes, together with the amendment of Mr. Sykes ;

The report was concurred in.

Mr. Sykes moved to lay the report on the table ;

Which carried.

The amendment was adopted, and the Senate refused to order the bill to a third reading.

Mr. Felder, from same committee, reported adversely to the bill—

To prescribe when pre-existing county organizations shall cease over territory comprising portions of new counties ;

The bill and report were laid on the table.

The hour of eleven o'clock having arrived, the Senate proceeded to consider the special order, being the bill to divide the State into Senatorial districts, and provide for the election of Senators to the General Assembly.

The question pending being on the adoption of Mr. Ashley's amendment,

Mr. Sykes moved to amend by substitute as follows .

Strike out all the counties in 24th, 25th, 26th and 27th districts, and insert 24th district Fayette, Jones and Walker, 25th district Franklin and Marion, 26th district Lauderdale and Colbert, 27th district Lawrence and Winston.

On motion of Mr. Lindsay,

Mr. Sykes' amendment was laid on the table.

Mr. Sykes moved to lay Mr. Ashley's amendment on the table ;

Which was lost.

On motion by Mr. Sykes,

The bill and amendment was recommitted to the Committee on Apportionment.

Mr. Jackson of Morgan, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act authorizing the administrator of the late Charles H. Patton, of the county of Madison, and State of Alabama, to invest certain moneys belonging to said estate in bonds or stock ;

A bill to be entitled an act to establish a Medical Board in the county of Hale ;

An act to amend an act entitled an act to incorporate the town of Livingston, in Sumter county ;

An act to fix the price to be paid for the public printing ;

To incorporate the city of Greeneville ;

To empower the commissioners court of Jackson county, to issue bonds and to levy a special tax ;

An act to relieve the tax payers of Pickens county ;

An act to authorize the commissioners court of the county of Morgan, to levy an additional tax for county purposes ;

An act to amend an act entitled an act to incorporate the Wilcox Monumental Association ;

An act to change the line between Clay and Cleburne counties, and to add certain sections of land therein named to Cleburne county ;

An act to authorize the administrator of the estate of the late Charles H. Patton, of Madison county, to invest certain interest of his estate in the capital stock of the Bell Factory, an incorporate company ;

An act to authorize the commissioners of revenue for Mobile county, to elect the tax assessor for said county and remove such assessor ;

To authorize the administrator of the estate of Samuel Davidson, late of the county of Bibb, to settle the same with the heirs of said estate among themselves ;

For the relief of Moses White, administrator of the estate of Geo. P. Lybrooks, of the county of Lauderdale ;

To regulate the pay of county commissioners in the county of Bullock ;

To authorize the Governor to pardon Peter Martin, Jr.

Message from the House by Mr. Phelan.

Mr. President :

The House has passed bills—

To incorporate the Grand Falls Manufacturing company ;

To authorize the commissioners court of the county of Jones to levy a special tax, to build a court house and jail for said county ;

To prohibit the holding of public markets and trading therein, on Sunday ;

To authorize George H. Winston, of the State of Georgia, one of the executors of the will of William B. S. Gilmer, to execute the will in this State ;

To increase the fees of all civil officers in the county of Elmore ;

To lay off the State of Alabama into six Congressional districts ;

To amend an act to authorize the substitution of lost records of judgments, and decrees of courts and other records ;

To provide the proper proof, when United States revenue stamps have been once placed on process, deeds, or conveyances ;

For the relief of Cornelia Ann Nall, of the county of Choctaw, Elizabeth Morris, of the county of Walker, and Elizabeth Morris, of Marshall county ;

To provide for the location of the court house in Russell county ;

To authorize re-assessment of taxes in certain cases;
 To authorize attorneys to administer oaths;
 To amend section 1691 of the Code of Alabama;
 To establish a Medical Board in the county of Hale;
 To authorize J. C. Stansel, of Pickens county, to erect gates across a public road in said county;

To incorporate the Harmonie Club of Montgomery, Alabama;

To amend an act to incorporate the Fire and Marine Insurance company of Selma;

To incorporate the Selma Building and Loan Association;

To amend sections 1543 and 1544 of the Code of Alabama;

To declare certain persons therein named, citizens of Elmore county;

For the relief of William Watson;

For the relief of Lewis Davis, of the county of Jackson.

The House has passed Senate bills—

To authorize married women to insure the lives of their husbands;

To repeal sections 99 and 100 of the Code, and to substitute others in lieu thereof;

To authorize the securities of certain officers to use their principals as witnesses, in certain cases;

To repeal an act entitled an act concerning vagrants and vagrancy.

The House rejects Senate bills:

To change the boundary line between the counties of Bibb and Autauga;

For the relief of Nancy M. C. Reynolds, of Lauderdale county.

Resolved, by the House of Representatives of the State of Alabama, in General Assembly convened, (the Senate concurring,) That this General Assembly adjourn *sine die* on Monday, the 18th day of February, 1867, at 4 o'clock, P. M.

T. CLANTON, Clerk.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably, with sundry amendments, to the House bill—

To establish revenue laws of the State of Alabama.

Mr. Lindsay moved to lay on the table the amendment reported by the Committee taxing "guns";

Which carried. Yeas 18; nays 14.

YEAS—Messrs. President, Ashley, Bell, Boykin, Drake, Edwards, Felder, Forney, Foster, Gage, Jackson of Lauderdale,

Jones, Kilpatrick, Lindsay, Norwood, Winston, Wood and Woodliff—18.

NAYS—Messrs. Barnes, Castens, Cooper, Deason, Garrett, Huckabee, Mitchell, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel and Sykes—14.

The amendment reported by the committee to strike out paragraph 7, section 4, taxing what is commonly called "spiritual rappings";

Was lost. Yeas 15 ; nays 16.

YEAS—Messrs. President, Ashley, Barnes, Bulger, Cooper, Deason, Drake, Gage, Garrett, Huckabee, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel and Wood—15.

NAYS—Messrs. Bell, Boykin, Castens, Edwards, Felder, Forney, Foster, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Mitchell, Montgomery, Norwood and Winston—16.

The amendment to strike out "quart" and insert "gallon", in line 22, section 5 ;

Was not adopted.

The amendment taxing the capacity of the still 50 cents on the gallon

Was not adopted.

The other amendments reported by the committee were adopted, and, on motion by Mr. Lindsay,

The Senate adjourned until this afternoon, half-past three o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

And resumed the consideration of the revenue bill.

Mr. Forney moved to amend by striking out the two dollars tax on pistols ;

Which was lost.

Yeas 9, nays 14.

YEAS—Messrs. President, Deason, Edwards, Felder, Forney, Kilpatrick, Winston, Wood, and Woodliff—9.

NAYS—Messrs. Barnes, Boykin, Castens, Cooper, Gage, Garrett, Jackson of Lauderdale, Jones, Lindsay, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, and Sykes—14.

Mr. Jones moved to insert in the list of exceptions the following: "ministers of the gospel, &c., shall pay no tax;"

Which was adopted.

Mr. Lindsay moved to strike out the whole paragraph exempting ministers of the gospel ;

Which was adopted.

Mr. Lindsay moved to strike out "\$25," as the tax on spiritual rappings, and insert "\$100 ;"

Upon a division of the question,

The question was put, on striking out, and lost.

Yeas 9, nays 19.

YEAS—Messrs. Barnes, Edwards, Felder, Gage, Moren, Norwood, Powell of Macon, Sykes, and Wood—9.

NAYS—Messrs. President, Ashley, Bell, Boykin, Bulger, Castens, Cooper, Deason, Forney, Foster, Garrett, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Montgomery, Powell of Tuscaloosa, Winston, and Woodliff—19.

Mr. Barnes moved to strike out the tax of \$100, as the tax on carrying on the art of taking pictures, and insert \$50 ; also, strike out "\$10," where it occurs in the same paragraph, and insert "\$5 ;"

Which was adopted.

Mr. Felder moved to strike out the tax on barber shops, and insert "\$5 for each person employed therein, and if the number of persons employed are increased therein any time during the year, then a license shall be taken for the increased number, at the same rate ;"

Which was adopted.

Mr. Woodliff moved to strike out "\$2," on the poll tax, and insert "\$1 50 ;"

Which was lost.

Yeas 11, nays 19.

YEAS—Messrs. Bell, Bulger, Deason, Edwards, Felder, Foster, Jackson of Lauderdale, Jones, Norwood, Winston, and Woodliff—11.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Castens, Cooper, Forney, Gage, Garrett, Huckabee, Kilpatrick, Lindsay, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, and Wood—19.

Mr. Edwards moved to amend chapter 2, section 2, paragraph 3, by striking out "largest amount of stock on hand at any one time during the year," and insert "gross amount of sales during the year";

Which was lost.

Mr. Kilpatrick moved to amend, by inserting the following in the exemption list, "all religious books kept by ministers of the gospel and colporteurs, for sale or gratuitous distribution, on hand, at any one time, to an amount in value not exceeding \$500 worth in any one year, shall be exempt from all taxation ;

Which was adopted.

Mr. Barnes moved to amend, chapter 10, section 55, in regard to the duties of tax collectors in relation to insolvency ;

Which was adopted ;

Mr. Garrett moved to add an additional section in regard to the duty of the comptroller of public accounts, publishing the penalties provided in the bill against defaulting tax payers ;

Which was adopted ;

And the bill was read a third time, under the suspension of the constitutional rule, and passed ;

Ordered to be sent forthwith to the House.

The Senate next proceeded to the consideration of the House messages.

The House bills—

To repeal section 2 of an act incorporating Danville Male and Female Academy, approved February 9th, 1860, and to substitute a section in lieu thereof, as section 2 ;

To incorporate the town of Stevenson, in Jackson county ;

To incorporate the Sepulga River Manufacturing Company, of Conecuh county ;

To amend and revive the charter of the Coosa and Chattooga River Railroad Company ;

To establish a medical board for Elmore county ;

For the relief of Matilda Preston, of the county of Choctaw ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill—

To increase the pay of the commissioners court of Tallapoosa county ;

Was read twice under the suspension of the constitutional rule ;

Mr. Bulger, moved to amend, by striking out “five” where it occurs, and inserting “four,”

Which was adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

The House bills—

To incorporate the Demopolis Fire and Marine Insurance Company ;

To incorporate the Gainesville Manufacturing Company ;

To incorporate the Alabama Mutual Life Insurance Company of Selma ;

Were severally read twice under the suspension of the constitutional rule and referred to the Committee on Corporations.

The House bills—

For the relief of Columbus D. Rives and his present wife, of the county of Randolph ;

For the relief of Wm. Beach, of Washington county, and Phillip Pritchett, and Lotty Pritchett, his wife, of Marshall county ;

Were severally read twice under the suspension of the constitutional rule and referred to the Committee on Propositions and Grievances.

The House bills—

To authorize the reconsideration of causes in the supreme court ;

To amend section 2536 of the Code of Alabama ;

Were severally read twice under the suspension of the constitutional rule and referred to the Judiciary Committee.

The House bill—

To change the line between the counties of Pike and Crenshaw ;

Was read twice under the suspension of the constitutional rule and referred to a select committee, composed of Messrs. President and Boykin.

The House bill—

For the relief of Parmer A. Kendrick, jailor of Shelby county ;

Was read twice under the suspension of the constitutional rule and referred to the Committee on Accounts and Claims.

The House bill—

To authorize Reuben T. Nix to erect gates across a road therein named ;

Was read twice under the suspension of the constitutional rule and referred to the Committee on Finance and Taxation.

The House bills—

To hold two terms of the chancery court for the 25th chancery district of northern division of Alabama, composed of Franklin county ;

For the relief of Jerome C. Thompson ;

To authorize the court of county commissioners of Tallapoosa county to borrow money ;

Were severally read twice under the suspension of the constitutional rule and laid on the table.

On motion of Mr. Bulger—

The further consideration of the House messages was postponed in order to allow him to introduce a bill.

Mr. Bulger, a bill—

To incorporate the Barnett Manufacturing Company ;

Which was read three times under the suspension of the constitutional rule and passed.

Ordered forthwith to the House.

The Senate resumed the consideration of the House messages.

The House bill—

To aid by State endorsement the Selma and Meridian Railroad Company ;

Was read twice, under a suspension of the constitutional rule, and the rule was further suspended to give the bill a third reading forthwith ;

Pending the discussion of which, the following

Message was received from the House by Mr. Phelan.

Mr. President:

The House has originated and passed the following bills:

For the relief of widows and orphans in certain cases;

To require the judges of the probate court to keep an account of sheriffs' fees ;

To define the power of justices of the peace in the counties of Dallas, Pickens, and other counties ;

To amend section 1642 of the Code ;

To provide the mode of giving constructive notice of motion to enter satisfaction of judgment or set aside such entries, when the party has removed from or resides out of the State ;

For the relief of Eddy Ann Henry, of Talladega county ;

To amend section 2510 of the Code in relation to advertising the attachment and levy on property.

On motion by Mr. Sykes,

The Senate adjourned until to-morrow morning 10 o'clock.

FRIDAY, February 15.

The Senate met pursuant to adjournment.

On motion of Mr. Moren, the reading of the journal was dispensed with.

Upon the call of the Districts,

The following bills were introduced :

Mr. Gage, a bill to authorize investigation into the origin of fire in incorporated towns and cities ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Garrett, a bill to fix the pay of witnesses in this State ;

Mr. Winston, a bill supplemental to an act to establish a system of internal improvements ;

Which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Boykin, from the select committee to which was referred the House bill—

To change the line between the counties of Pike and Crenshaw ;

Reported favorably.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Yeas 29 ; nays none.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Huckabee, Jackson of Morgan, Jones, Kilpatrick, Montgomery, Moren, Norwood, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood and Woodliff—29.

The Senate then proceeded to the consideration of the House messages; the bill pending at last adjournment being first in order,

The Senate resumed the consideration, it being the bill—

To aid, by State endorsement, the Selma and Meridian Railroad Company ;

The question pending being on the passage of the bill,

Mr. Gage moved to reconsider the vote by which the rule was suspended to order the bill to a third reading on yesterday, which carried.

Mr. Ashley moved to amend by additional section, as follows :

Be it further enacted, That the Governor is hereby authorized to endorse the second mortgage bonds of the Alabama and Florida Railroad Company, of Alabama, to an amount not exceeding three hundred thousand dollars, upon the same condition that he is required by the first section of this act to endorse for the Selma and Meridian Railroad Company.

The amendment was adopted.

The bill was read a third time, under a suspension of the constitutional rule, and lost.

Yeas 16 ; nays 16.

YEAS—Messrs. President, Ashley, Barnes, Bell, Boykin, Castens, Deason, Foster, Huckabee, Jackson of Morgan, Kilpatrick, Lindsay, Powell of Macon, Powell of Tuscaloosa, Stansel, and Winston—16.

NAYS—Messrs. Bulger, Cooper, Drake, Edwards, Felder,

Forney, Gage, Garrett, Jackson of Lauderdale, Jones, Montgomery, Moren, Norwood, Sykes, Wood, and Woodliff—16.

Mr. Powell of Macon moved to take from the House messages the House bill—

For the relief of the maimed indigent soldiers of Alabama.

The bill was read twice, under a suspension of the constitutional rule.

Mr. Jackson of Lauderdale moved the previous question. The question being “shall the main question be now put,” it was put and carried.

And the bill was ordered to a third reading on to-morrow.

The House bill—

To confer additional powers on courts of county commissioners in this State,

Was read twice under a suspension of the constitutional rule.

Mr. Cooper moved to amend by proviso :

Provided, no toll shall be exacted at any gate so erected ;

Which was adopted,

And the bill read a third time, under the suspension of the constitutional rule, and passed.

The Senate bill—

To alter the boundary line between Dallas and Perry counties, and to annex a portion of Perry to Dallas county ;

Was amended by the House and as amended, was concurred in by the Senate.

The House bills—

To change the boundary lines between the counties of DeKalb, Marshall and Baine ;

To substitute the judge of the city court of Selma, in the place of the probate judge of Dallas county in certain cases ;

To authorize the commissioners court of the county of Pickens, to purchase lands upon which to locate and provide the poor of the county ;

To provide a special supreme court in certain cases ;

To amend section 2587 of the Code ;

To repeal certain acts to amend the charter and fix the Eastern boundary of the city of Montgomery ;

To authorize the court of county commissioners of Macon county to issue bonds ;

For the relief of Mary Jane Jones, of Sumter county ;

To construe an act entitled an act to extend the jurisdiction of courts of chancery in the settlement of insolvent estates ;

Authorizing courts of chancery and probate to make equitable settlements with guardians ;

To authorize the legal representatives of Wm. B. Watt, late

of Randolph county, deceased, to compromise with the late guardians of said decedent ;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The House bills—

To amend section 152 of the Code ;

To regulate the issuance of executions from the probate court in certain cases ;

In relation to suits against joint obligors ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

For the relief of St. Clair county ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

Mr. Jackson, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to authorize the securities of certain officers to use their principal as witnesses in certain cases ;

An act to incorporate the Tuscaloosa Savings Association ;

A bill to be entitled an act to repeal section 99 and 100 of the Code, and to substitute others in lieu thereof ;

An act to repeal an act entitled an act concerning vagrants and vagrancy ;

An act to authorize Mrs. A. M. Carlton to invest the money of certain wards ;

A bill to be entitled an act to authorize married women to insure the lives of their husbands ;

An act to incorporate the Montgomery Water Works Company for the city of Montgomery ;

An act to incorporate the Notasulga Manufacturing Company ;

An act to incorporate the city of Eufaula ;

To provide blank books for records in Conecuh, Fayette and Jackson counties ;

To construe an act entitled "An act to regulate judicial proceedings, approved February 20th, 1866 ;

To incorporate the Warrior Bridge Pontoon and Ferry Company ;

For the relief of Caledonia Green, of the county of Calhoun, and permit her to marry ;

To authorize the issuance of executions on certain judgments without a revival ;

To change the county line between Clay and Talladega counties ;

To declare the common form of indictment under section

1059 of the Code, sufficient for violations of local towns regulating the sale of spirituous liquors ;

To incorporate the town of Courtland, in the county of Lawrence ;

To amend section third of an act, to amend the laws regulating the settlement of estates of deceased persons, approved February 5th, 1858 ;

To amend section 511 of the Penal Code ;

To extend the time of reporting estates insolvent ;

For the relief of Thomas C. Tartt, of Sumter county ;

To authorize A. Askew, of Marengo county, as administrator of Dr. W. Woolf to sell or rent certain lands privately ;

To prohibit the sale of vinous or spirituous liquors within ten miles of the Factory of Gibson, McDaniel & Co., in Tuscaloosa county ;

To establish a system of Internal Improvement in the State of Alabama ;

In regard to Roads, Bridges and Ferries, in the county of Mobile ;

To require sheriffs and other officers selling lands, to make titles or deeds thereto ;

To legalize a certain guardianship therein named, made by the guardian ;

To authorize John Whiting, commissioner and trustee, to make a deed to Isaac E. Young ;

For the protection of executors, administrators, and guardians, in Bibb county.

Message from the House by Mr. Phelan :

Mr. President :

The House has originated and passed the following bills :

For the relief of maimed and indigent soldiers of Alabama ;

To give the probate court authority to grant guardians permission to hire labor, &c., and carry on the plantation and cultivate the lands of wards ;

To enforce liens of judgments ;

To amend an act to authorize certain settlements in the probate courts of this State, approved December 9th, 1861 ;

To amend an act entitled an act for the relief of defendants in judgments upon contracts made between 1st September, 1861, and 1st May, 1865 ;

Relative to the inspection of flour.

The House concurs in Senate's amendment to House Bill—

To compel administrators, executors, guardians, and trustees.

to continue the administration and settlement of estates in certain cases, in Pike county.

The House has passed Senate bills—

To prevent undecided appeals to the supreme court from losing their force by discontinuance or otherwise, unless the appellant move for a discontinuance after legal cause therefor has occurred ;

To alter the boundary line between Dallas and Perry counties, and to annex a portion of Perry to Dallas county.

The hour of 12 o'clock having arrived ;

The Senate proceeded to consider the special order, being the House bill—

To establish a uniform and efficient system of public instruction in the State of Alabama, and to repeal the act to render more efficient the system of public schools in the State of Alabama, approved February 14th, 1856, and the act to amend an act to render more efficient the system of free public schools in the State of Alabama, approved February 24, 1860.

The question being on ordering the bill to a third reading on to-morrow ;

When, on motion by Mr. Powell of Tuscaloosa,

The bill was indefinitely postponed—Yeas, 16 ; nays 12.

YEAS—Messrs. Ashley, Barnes, Boykin, Castens, Cooper, Felder, Garrett, Huckabee, Jackson of Lauderdale, Montgomery, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes and Wood—16.

NAYS—Messrs. Bell, Deason, Drake, Edwards, Forney, Foster, Gage, Jones, Kilpatrick, Lindsay, Winston and Woodliff—12.

On motion of Mr. Edwards—

The Senate adjourned until half-past three this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Powell of Tuscaloosa, moved to reconsider the vote by which the House bill—

To establish a uniform and efficient system of public instruction in the State of Alabama, and to repeal the act to render more efficient the system of public schools in the State of Alabama, approved February 14, 1856, and the act to amend an act to render more efficient the system of free public schools in the State of Alabama, approved Feb. 24, 1860 ;

Was indefinitely postponed this morning.

The consideration of the motion was postponed until four o'clock.

The Senate resumed the consideration of the House message.
The House joint resolution in reference to the navigating of the Coosa river ;

Was referred to the Committee on Internal Improvements.

Message from the House by Mr. Phelan :

Mr. President :

The House has passed bills—

To provide the mode of vacating the charters of railroad companies in this State ;

To provide a college for the benefit of agriculture and the mechanic arts, and to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life ;

To lay off and divide the State of Alabama into twelve judicial circuits, and fix the time of holding the courts therein.

The House concurs in the Senate amendment to House bill—

To compel administrators, executors, guardians and trustees, to continue the administration and settlement of estates in certain cases, in Pike county.

The House has passed a Senate bill—

For the relief of defendants in judgments and decrees rendered since the 11th day of January, 1861.

T. CLANTON, Clerk.

The House refuses to concur in the following Senate amendments :

In section 5, paragraph 3, to strike out “one hundred” and insert “fifty”;

In section 5, paragraph 3, to strike out “ten” and insert “five”; also strike out “one hundred” and insert “fifty”;

In chapter 13, section 8, paragraph 2, in second line, to strike out “two” and insert “six”;

Also, to the insertion of a section after section 108.

Mr. Powell of Tuscaloosa moved to take from the House messages just communicated,

The House bill—

To establish revenue laws for the State of Alabama ;

Which carried.

On motion of Mr. Powell of Tuscaloosa,

The Senate receded from its amendments disagreed to by the House.

The House bills—

To amend section 2206 of the Code of Alabama ;

Giving the right of appeal in cases pending before judges of probate ;

To amend sections 1543 and 1544 of the Code ;

For the protection of mechanics and laborers ;

Authorizing the joining as parties defendants all the obligors on notes bills, bonds and other evidences of debt in actions at law ;

To define and punish a violation of the provisions of an act entitled an act to give a lien on the crop and stock for advances to assist in making the crop ;

For *pro rata* payment of existing county debt in the formation of new counties ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bills—

To authorize the re-assessment of taxes in certain cases ;

To amend section 1591 of the Code ;

To authorize J. C. Stansel, of Pickens county, to erect a gate across a public highway in said county ;

To incorporate the Harmonie Club, of Montgomery, Ala. ;

For the relief of William Watson ;

To amend an act to incorporate the town of Opelika ;

Were severally read three times under a suspension of the constitutional rule and passed.

The House bill—

To incorporate the Selma Building and Loan Association ;

To amend an act to incorporate the Fire and Marine Insurance Company, of Selma ;

Were severally read twice, under the suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bill—

To establish a Board of Public Works in the State of Alabama ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The House bills—

For the relief of Lewis Davis, of the county of Jackson ;

To amend section 480 of the Penal Code ;

To declare certain persons therein named citizens of Elmore county ;

To authorize attorneys to administer oaths ;

Were severally read twice, under a suspension of the constitutional rule, and laid on the table.

A message from the Governor was received by his private secretary, Mr. Dixon :

EXECUTIVE DEPARTMENT, }
STATE OF ALABAMA, }

Montgomery, February 15, 1867.

Gentlemen of the Senate and House of Representatives :

I have this day received from Washington city an important document, bearing upon the relations which Alabama sustains to the Union, with a request that it be submitted to the Legislature. A duly verified copy of the paper is herewith transmitted. It is in the nature of an application to Congress to propose certain amendments to the Constitution of the United States, coupled with a proposition to amend the Constitution of the State of Alabama.

The grave and important question involved in these propositions is respectfully submitted to the superior wisdom of the Legislature.

R. M. PATTON.

The message and accompanying document was referred to the Committee on Federal Relations.

Another message from the Governor was received :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

Authorizing the administrator of the late Charles H. Patton, of the county of Madison and State of Alabama, to invest certain moneys belonging to said estate in bonds and stocks ;

To authorize the administrator of the estate of the late Charles H. Patton, of Madison county, to invest certain interests of his intestate in the capital stock of "The Bell Factory", an incorporated company ;

To regulate the places of holding sheriff sales in Bibb county ;

To authorize the commissioners court of Russell county to issue treasury notes ;

To add a portion of the county of Cleburne to the county of Talladega ;

To incorporate the Pioneer Fire Company of Greenville ;

To incorporate Montgomery Water Works Company of the city of Montgomery ;

To amend section 6 of an act entitled an act to regulate judicial proceedings, approved January 20, 1866 ;

To authorize married women to insure the lives of their husbands ;

To authorize the securities of certain officers to use their principals as witnesses in certain cases ;

To authorize Mrs. A. W. Carleton to invest the money of certain wards ;

An act to incorporate the Notasulga Manufacturing Company ;

To repeal an act entitled an act concerning vagrants and vagrancy ;

To repeal sections 99 and 100 of the Code, and to substitute others in lieu thereof ;

An act to change the line between Clay and Cleburne counties, and to add certain sections of land therein named to Cleburne county ;

To authorize the commissioners of revenues for Mobile county to elect the tax assessor of said county, and remove such assessor ;

An act to amend an act entitled an act to incorporate the Wilcox Monumental Association ;

An act to authorize the commissioners court of the county of Morgan, to levy an additional tax for county purposes ;

To regulate the pay of county commissioners in the county of Bullock ;

To authorize the administrator of the estate of Samuel W. Davidson, late of the county of Bibb, to settle the same with the heirs of said estate among themselves ;

To establish a Medical Board in the county of Hale ;

For the relief of Moses White, administrator of the estate of Geo. R. Lybrooks, of the county of Lauderdale ;

To empower the commissioners court of Jackson county, to issue bonds and to levy a special tax ;

To amend an act entitled an act to incorporate the town of Livingston, in Sumter county ;

To incorporate the city of Greenville ;

To relieve the tax payers of Pickens county.

SAMUEL H. DIXON,

Private Secretary.

Mr. Ashley moved to suspend the further consideration of the House message, to allow the select committee on apportionment to report.

Mr. Ashley, from the select committee on apportionment, reported favorably to the bill, with the amendment, referred—

To divide the State into Senatorial districts, and provide for the election of senators to the General Assembly.

Mr. Bulger moved to lay the bill and amendment on the table, and take up the House message on the same subject ;

Which motion the Senate refused to concur in.

Yeas 11, nays 17.

YEAS—Messrs. President, Bell, Bulger, Felder, Garrett, Jackson of Morgan, Moren, Powell of Macon, Sykes, Winston, and Woodliff—11.

NAYS—Messrs. Ashley, Barnes, Castens, Cooper, Deason, Edwards, Forney, Foster, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsey, Montgomery, Powell of Tuscaloosa, Stansel, and Wood—17.

The question pending being on the adoption of the amendment,

The Senate adjourned until 10 o'clock to-morrow morning.

SATURDAY, February 16th.

The Senate met pursuant to adjournment.

On motion by Mr. Moren,

The reading of the journal was dispensed with.

Upon the call of the districts, the following bills were introduced :

Mr. Bulger, a bill to amend an act entitled an act to amend an act to authorize the courts of county commissioners of this State to license and permit wounded soldiers in the late Confederate army to peddle free of tax, in their respective counties, approved February 10, 1866 ;

Which was read three times under the suspension of the constitutional rule and passed.

Mr. Powell, of Tuscaloosa, a bill—

To prevent the payment of claims against the State, unless an appropriation has been made for that purpose ;

Which was read twice under the suspension of the constitutional rule and referred to the Committee on Finance and Taxation.

Mr. Powell, of Macon, from the select committee, to which was referred the House bill—

To incorporate the Tuskegee Hook and Ladder Company, reported favorably ;

The bill was read a third time under the suspension of the constitutional rule and passed.

Mr. Bulger, from the select committee, to which was referred the House bill—

To provide for the distribution of supplies to the destitute,

and to provide for the punishment of officers and others for their misapplication ;

Reported favorably with amendments ;

The amendments were adopted, and the bill read a third time under the suspension of the constitutional rule and passed.

On motion of Mr. Jones—

The consideration of the House messages was postponed to allow reports to be made from committees generally.

Mr. Jones, from the Committees on Corporations, reported favorably to the House bill—

To incorporate the Alabama Mutual Life Insurance Company of Selma ;

Also, from same committee, favorably to the House bill—

To incorporate the Gainesville Manufacturing Company ;

Which were severally read a third time under the suspension of the constitutional rule and passed.

Ms. Kilpatrick, from the Judiciary Committee, reported favorably to the House bill—

To increase the fees of the county officers of the county of Baldwin ;

Which was laid on the table ;

Also, from same Committee, favorably to the House bill—

To amend an act entitled an act to limit and construe an act approved January 30th, 1860, entitled an act to construe an act to construe section 1738 of the Code, and for other purposes ;

Which was read a third time under the suspension of the constitutional rule and passed.

Mr. Huckabee, from the Committee on 16th sections, reported favorably to the House bill—

For the relief of Joseph F. Fason, of Greene county ;

Which was read a third time under the suspension of the constitutional rule and passed.

Mr. Drake, from the Committee on Finance and Taxation, reported adversely to the House bill—

To consolidate the offices of sheriff and tax collector of Choctaw county.

The report of the committee was concurred in, and the bill lost.

Mr. Woodliff, from the Committee on Internal Improvements, reported favorably, with amendments, to

The House bill—

In reference to navigating the Coosa River.

The amendments were adopted,

And the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Barnes, from the Judiciary Committee, reported favorably to

The House bill—

For the pro rata payment of existing county debt in the formation of new counties ;

Which was read a third time under a suspension of the constitutional rule, and passed.

Mr. Stansel, from the same committee, reported, with amendment, to the bill—

To prevent the destruction of unclaimed freight and to regulate the disposition thereof;

The amendments were adopted, and the bill read a third time, under the suspension of the constitutional rule, and passed.

Message from the House by Mr. Clanton.

Mr. President :

The House respectfully requests the Senate to return to the House the bill to retrench the expenses of the State Government, the same having been sent to the Senate by mistake.

T. CLANTON, Clerk.

Message from the House by Mr. Phelan.

Mr. President :

The House has originated and passed the following bills :

To authorize the commissioners court of Lee county to levy a special tax for the purposes therein named ;

To authorize the Trustees of Township one (1,) Range nine (9,) East, in Jackson county ;

To incorporate the Washington Fire and Marine Insurance Company of Mobile ;

To declare Wm. A. Shaw, a citizen of Macon county ;

To relieve J. T. Potter, of Macon county ;

Supplemental to an act to incorporate the Coosa and Chattooga Railroad Company, approved January 6th, 1852 ;

To change the boundary line between the counties of Dallas and Autauga ;

In relation to fences, the protection of crops, and other property, in Sumter and Pickens counties ;

To create chancery districts in the Southern Chancery Division, to be composed of the counties of Chambers and Lee ;

For relief of Thos. D. Garner, of Morgan county ;

To authorize the Secretary of State to issue a land patent to Alvin Ryland of Coffee county ;

Joint resolution approving the Southern University series of school books.

T. CLANTON, Clerk.

The House has passed Senate bills—

In relation to the contingent fund ;

In relation to the employ of special clerical service for the State ;

To regulate the mode of purchasing fuel for the State ;

To remove the administration of the estate of Phillip J. Weaver, Jr., from the probate court of Marengo county to the probate court of Dallas county ;

To incorporate the Eureka Mining Company of Alabama ;

To extend the corporate limits of the city of Montgomery ;

To authorize Wm. H. Northington, as executor of John D. Fralick, deceased, to purchase real and personal property for the use of said estate ;

To define and extend the city limits of the city of Selma ;

To create a new chancery district called Colbert District, and to regulate the holding of chancery courts in certain districts ;

To amend an act to establish a system of internal improvements in the State of Alabama ;

To appoint commissioners for the town of Warrenton, in the county of Marshall ;

To confer additional powers on the city council of Montgomery ;

To incorporate the Barnett Manufacturing Company ;

Supplemental to an act to authorize the Governor to settle with Wm. O. Winston, of DeKalb county, approved January 27, 1867 ;

To establish a school for blind persons ;

To provide for the printing and distribution of the decisions of the supreme court, approved Dec. 12, 1860 ;

In relation to the reports of decisions of the supreme court ;

To repeal an act to provide for the safe keeping, distribution and exchange of the Supreme Court Reports, approved Feb. 8, 1866, and to regulate the safe keeping, distribution and exchange of said reports.

The House has amended and passed Senate bills—

To fix the pay of the Reporter of the decisions of the supreme court ;

To locate the county seat of Jackson county, and to build the court house and jail ;

To provide for the just and legal distribution of the school fund for the years 1865 and 1866 ;

To divide the State into six congressional districts.

The House concurs in the Senate amendments to the House bills—

To increase the pay of the commissioners of the county of Tallapoosa ;

To make certain persons, liners between Lowndes and Crenshaw counties, citizens of Lowndes ;

To require new counties to be furnished with acts and supreme court reports ;

For the relief of the present judges of probate of Jefferson, St. Clair, Shelby and Russell counties ;

—To regulate the distribution of the Revised Code ;

To amend section one of an act, to authorize Jno. R. Hubbard, guardian of Thomas, Mahala, and Henry Byrd, to dispose of a certain tract of land, approved January 31st, 1866 ;

An act to repeal an act to prohibit the sale of spirituous liquors at sundry places in Marengo county ;

To incorporate the town of Dadeville in Tallapoosa county ;

To authorize the courts of county commissioners of Coosa, Macon, and Lowndes, to issue county bonds, for the building of public bridges in said counties, approved January 26th, 1866 ;

To reorganize the terms and times of holding the courts of chancery in the Mobile chancery division ;

To increase the fees of officers, jurors and witnesses, in the counties of Autauga, Green, Sumter, Marengo, Pike, Tallapoosa, Dale, Washington, Limestone, Monroe and Butler ;

The House has amended the Senate amendment to the House bill, to provide pay for the grand and petit jurors, and court of county commissioners of the different counties in this State, and as amended, concurs in the same.

Message from the Governor by his private Secretary :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

To amend section third of an act, to amend the laws regulating the settlement of estates of deceased persons, approved February 3d, 1858 ;

For the protection of executors, administrators, and guardians, in Bibb county.

For the relief of Thomas C. Tartt, of Sumter county ;

To prohibit the sale of vinous or spirituous liquors within two miles of the Factory of Gibson, McDaniel & Co., in Tuscaloosa county ;

To authorize H. J. Askew, of Marengo county, as administrator of Dr. W. Woolf to sell or rent certain lands privately ;

To authorize John Whiting, commissioner and trustee, to make a deed to Isaac E. Young ;

To legalize a certain guardianship therein named, and certain sales therein made by the guardian ;

To require sheriffs and other officers selling lands, to make titles or deeds thereto ;

To amend section 511 of the Penal Code ;

To incorporate the town of Courtland, in the county of Lawrence ;

To change the county line between Clay and Talladega counties ;

To extend the time of reporting estates insolvent ;

To incorporate the Warrior Bridge Pontoon and Ferry Company ;

To incorporate the city of Eufaula ;

In regard to Roads, Bridges and Ferries, in the county of Mobile ;

To provide blank books for records in Conecuh, Fayette and Jackson counties ;

To construe an act entitled "An act to regulate judicial proceedings, approved February 20th, 1866 ;

For the relief of Caledonia Green, of the county of Calhoun, and permit her to marry ;

To authorize the issuance of executions on certain judgments without a revival ;

To declare the common form of indictments under section 1059 of the Code, sufficient for violation of local laws regulating the sale of spirituous liquors ;

In relation to the interest upon the State debts falling due in the months of May, June and July.

SAM'L H. DIXON,
Private Secretary.

Mr. Powell of Tuscaloosa, from the Committee on the Judiciary, reported adversely to the House bill—

To permanently exempt real and personal property from levy and sale under any legal process for the use of families in this State ;

Mr. Jackson of Lauderdale, moved to lay the report on the table ;

Which was carried.

Mr. Lindsay, moved to amend by substitute as follows :

SEC. 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama, in General Assembly convened,* That in addition to the property now exempt from execution under and by article 5, chapter 19, title 1, part 3, of the Code of Alabama, and all acts amendatory thereof, there shall be retained for the use of every family in the State, exempt from levy and sale, such real property as may be selected by the head of the family not exceeding in value one thousand dollars, and such personal property may be selected by the head of the family not exceeding one thousand dollars in value.

SEC. 2. *Be it further enacted,* That in addition to the property exempt from sale under and by the provisions of article 1, chapter 6, title 4, part 2, of the Code, and all laws amendatory thereof, the widow, executor and administrator, in the manner and for the purposes provided for in section 1738 of said article 1, must select real property not exceeding fifteen hundred dollars in value and personal property not exceeding five hundred dollars in value.

Mr. Jackson of Morgan, moved to amend the substitute as follows :

Strike out 2,500 where it occurs and insert 2,000 ;

Mr. Deason, moved to lay the substitute on the table ;

Which was lost.

Yeas 10 ; nays 17.

YEAS—Messrs. Deason, Drake, Forney, Gage, Jones, Kilpatrick, Montgomery, Moren, Powell of Tuscaloosa, and Stansel—10.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Bulger, Castens, Cooper, Edwards, Foster, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Macon, Norwood, Powell of Macon, Winston and Woodliff—17.

Mr. President moved a division of the question,

Which carried.

The question being on striking out, it was stated and carried.

The question recurring on the filling the blank with \$2,000, It was put and lost.

Yeas 11, nays 19.

YEAS—Messrs. Boykin, Bulger, Drake, Edwards, Foster, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, Winston and Woodliff—11.

NAYS—Messrs. President, Ashley, Barnes, Bell, Castens, Deason, Felder, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Montgomery, Moren, Powell of Tuscaloosa, Sykes and Wood—19.

Mr. Lindsay moved to fill the blank with \$1500,
Which was lost.

Mr. President moved to insert \$1000,
Which carried.

Yeas 18, nays 13.

YEAS—Messrs. President, Barnes, Boykin, Bulger, Castens, Drake, Edwards, Foster, Huckabee, Jackson of Morgan, Jones, Lindsay, Norwood, Powell of Macon, Sykes, Winston, Wood and Woodliff—18.

NAYS—Messrs. Ashley, Bell, Deason, Felder, Forney, Gage, Garrett, Jackson of Lauderdale, Kilpatrick, Montgomery, Moren, Powell of Tuscaloosa and Stansel—13.

Mr. Barnes moved to amend by striking out section 2.

Mr. Deason moved to postpone the bill and amendment until Monday 12 o'clock,

Which was lost.

Yeas 9, nays 18.

YEAS—Messrs. Ashley, Bell, Deason, Foster, Gage, Kilpatrick, Montgomery, Moren and Winston—9.

NAYS—Messrs. President, Barnes, Boykin, Bulger, Castens, Drake, Edwards, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes and Wood—18.

The question pending being on the adoption of Mr. Barnes' amendment,

It was adopted.

Mr. Bulger moved to amend as follows:

Provided, That nothing contained in the foregoing act shall have the effect to exempt from levy and sale, in satisfaction of any liability incurred by the execution of any official bond or other bond required by law, nor shall the provisions of this act apply to any executor, administrator or guardian for any liability incurred in their representative or trust capacity;

Which was adopted.

Mr. Deason offered the following amendment:

That the provisions of this act shall not apply to debts contracted by a party or parties for medicine or medical services rendered by a regular practicing physician.

On motion by Mr. Barnes, the amendment was laid on the table.

Mr. Montgomery offered the following amendment:

Provided, This act shall not apply to existing contracts.

On motion by Mr. Bulger, the amendment was laid on the table.

Mr. Moren moved to strike out "one thousand dollars," when it relates to personal property, and insert "five hundred dollars ;"

Mr. Barnes moved a division of the question ;

Which carried.

The question being then on striking out, it was stated, and decided in the affirmative.

Yeas 21, nays 10.

YEAS—Messrs. President, Ashley, Barnes, Bell, Castens, Cooper, Deason, Forney, Foster, Gage, Garrett, Huckabee, Jones, Kilpatrick, Montgomery, Moren, Powell of Tuscaloosa, Stansel, Sykes, and Winston—21.

NAYS—Messrs. Boykin, Bulger, Drake, Edwards, Jackson of Lauderdale, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, and Woodliff—10.

The question now being on filling the blank "500,"

It was stated and decided in the affirmative.

Mr. Sykes moved to amend by additional section:

Be it further enacted, That the provisions of this act shall not apply to the wages of laborers, blacksmiths and mechanics.

Mr. Bulger moved to lay the amendment on the table ;

Which was lost.

Yeas 9, nays 22.

YEAS—Messrs. Barnes, Bulger, Deason, Drake, Jones, Montgomery, Norwood, Stansel, and Woodliff—9.

NAYS—Messrs. President, Ashley, Bell, Boykin, Castens, Cooper, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, Moren, Powell of Macon, Powell of Tuscaloosa, Sykes, Winston, and Wood—21.

The question pending being on the adoption of the amendment offered by Mr. Sykes,

It was put, and the amendment adopted.

Mr. Powell of Tuscaloosa moved to strike out the word "family," and insert "citizen ;"

Which was lost.

Mr. Garrett moved to amend by additional section as follows:

Be it further enacted, That the property herein exempted, shall not be the subject of sale or transfer by the party owning it, and if sold or transferred, it shall be liable for debts of the party as though this law had not been passed ;

Which was adopted—Yeas, 16 ; nays, 14.

YEAS—Messrs. President, Ashley, Bell, Castens, Drake, Felder, Forney, Gage, Garrett, Huckabee, Jones, Kilpatrick, Montgomery, Moren, Sykes and Winston—16.

NAYS—Messrs. Barnes, Boykin, Bulger, Cooper, Edwards, Foster, Jackson of Lauderdale, Jackson of Morgan, Lindsay, Powell of Macon, Powell of Tuscaloosa, Stansel, Wood and Woodliff—14.

Mr. Stansel moved to amend by proviso, as follows :

Provided, That no property shall be exempt under this act, which has not been paid for as against the seller of such property, when he seeks to enforce the collection of the debt for which the same was sold.

Mr. Lindsay moved the previous question, being, shall the main question be now put ;

The question was stated, and decided in the negative—Yeas, 8 ; nays 24.

YEAS—Messrs. Edwards, Forney, Foster, Jackson of Lauderdale, Jackson of Morgan, Lindsay, Montgomery, and Norwood—8.

NAYS—Messrs. President, Ashley, Barnes, Bell, Boykin, Bulger, Castens, Cooper, Deason, Drake, Felder, Gage, Garrett, Huckabee, Jones, Kilpatrick, Moren, Powell of Macon, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood and Woodliff—24.

The question recurring on the adoption of Mr. Stansel's amendment ;

Mr. Powell of Tuscaloosa, moved to indefinitely postpone the further consideration of the bill ;

Which was lost—Yeas, 11 ; nays, 20.

YEAS—Messrs. Bell, Deason, Felder, Forney, Gage, Jackson, of Lauderdale, Jones, Moren, Montgomery, Powell of Tuscaloosa, and Sykes—11.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Bulger, Castens, Cooper, Drake, Edwards, Foster, Garrett, Huckabee, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, Stansel, Winston, Wood and Woodliff—20.

Mr. Jackson of Morgan, moved to lay the amendment offered by Mr. Stansel, on the table ;

Which carried.

Mr. Lindsay moved—

To amend the amendment of Mr. Sykes to the substitute, by adding "teachers and physicians."

Mr. Lindsay moved—

To take from the table the amendment offered by Mr. Deason ;

Which carried.

Mr. Lindsay moved—

To amend the amendment just taken up, by adding “teachers and physicians” ;

The amendment was adopted—Yeas, 19 ; nays, 11.

YEAS—Messrs. President, Bell, Boykin, Castens, Deason, Edwards, Felder, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Lindsay, Montgomery, Moren, Powell of Tuscaloosa, Sykes, Winston and Wood—19.

NAYS—Messrs. Barnes, Bulger, Cooper, Drake, Forney, Jackson of Lauderdale, Jones, Norwood, Powell of Macon, Stansel and Woodliff—11.

On motion of Mr. Garrett—

The vote adopting the amendment as section 2 was reconsidered,

And, on motion of Mr. Jackson of Morgan, was laid on the table.

On motion of Mr. Castens, the amendment offered by Mr. Stansel was taken from the table and adopted.

Mr. Lindsay moved to reconsider the vote by which the 2d section of the substitute was stricken out ;

Which was lost.

The substitute, as amended, was adopted.

Mr. Garrett moved to suspend the constitutional rule to give the bill a third reading forthwith, which motion failed to carry the requisite four-fifths majority ;

Yeas 18 ; nays 12.

YEAS—Messrs. President, Barnes, Boykin, Bulger, Castens, Cooper, Edwards, Forney, Foster, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, Winston and Woodliff—18.

NAYS—Messrs. Ashley, Bell, Deason, Felder, Gage, Jones, Kilpatrick, Montgomery, Moren, Stansel, Sykes and Wood—12.

The bill was ordered to a third reading on to-morrow.

On motion of Mr. Garrett, the Senate adjourned until this afternoon, half-past three o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The report of standing committees being in order, Mr. Moren, from the Committee on Accounts and Claims, reported favorably to the House bill—

For the relief of St. Clair county.

The further consideration of the bill was postponed until half-past four this afternoon.

Also, from same committee, favorably to the House bill—

For the relief of James Gober, of Franklin county ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Also, from same committee, favorably to the House bill—

For the relief of Parmer A. Kendrick, jailor of Shelby county ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Winston, from the Committee on Propositions and Grievances, reported favorably to the House bill—

For the relief of Wm. Beach, of Washington county, and Phillip Pritchett and Lotty Pritchett, his wife, of Marshall county ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Also, from same committee, favorably to the House bill—

For the relief of Columbus D. Reeves, and his present wife, of the county of Randolph.

Mr. Bulger moved to add the name of M. A. Lambert, of Tallapoosa county ;

Which carried, and the bill read a third time, under a suspension of the constitutional rule, and passed.

Also, from same committee, favorably to the House bill—

For the relief of Lewis Davis, of the county of Jackson ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Also, from same committee, favorably to the bill for the relief of Abram R. Drake, of Randolph county.

Mr. Felder moved to add the name of Eliza M. Garrison, of Montgomery county ;

Which carried.

On motion of Mr. Bulger,

The name of Martha Jane Crawford was added.

On motion of Mr. Kilpatrick,

The name of Chas. L. Davidson was added.

On motion of Mr. Boykin,

The name of J. R. Dickinson was added.

On motion of Mr. Moren,

The name of J. D. P. Wilkinson was added.

Mr. Barnes moved that the name of Alex. A. C. Carter, of Tallapoosa, be added.

Mr. Bulger moved to lay Mr. Barnes' amendment on the table.

Mr. Garrett moved to lay the bill and amendments on the table;

Which was lost.

The question recurring to the motion of Mr. Bulger,

It was stated and lost.

Yeas 4, nays 23.

YEAS—Messrs. Bulger, Edwards, Garrett, and Sykes—4.

NAYS—Messrs. President, Ashley, Barnes, Bell, Boykin, Castens, Cooper, Deason, Forney, Foster, Gage, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Montgomery, Moren, Powell of Tuscaloosa, Stansel, Winston, and Wood—23.

The amendment was then adopted.

On motion of Mr. Stansel,

The name of John J. Sims was added.

On motion of Mr. Sykes,

The name of Nancy Runnells was added.

On motion of Mr. Deason,

The name of Nancy M. Johnson was added.

The bill, as amended, was read a third time, under a suspension of the constitutional rule, and passed.

Yeas 19, nays 9.

YEAS—Messrs. Ashley, Barnes, Bell, Boykin, Deason, Felder, Forney, Foster, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Moren, Norwood, Powell of Tuscaloosa, Stansel, Sykes, Winston, and Wood—19.

NAYS—Messrs. President, Castens, Cooper, Gage, Kilpatrick, Lindsay, Montgomery, and Woodliff—9

Mr. Barnes moved to suspend the further reception of reports to allow him to introduce a bill ;

Which carried.

Mr. Barnes, a bill to encourage the manufacture of cotton in the State of Alabama ;

Which was read twice under a suspension of the constitutional rule and referred to the Judiciary Committee.

The report of committees was resumed—

Mr. Jones, from the committee on Corporations, reported favorably to the House bill—

To incorporate the Selma Building and Loan Association ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Stansel, from the same committee, reported favorably to the House bill—

To amend an act to incorporate the Fire and Marine Insurance Company, of Selma ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Sykes, from the committee on Banks and Banking, reported favorably to the House bill—

To amend the charter of the Mobile Exchange and General Insurance Company ;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Stansel, from the committee on Corporations, reported favorably to the bill—

To incorporate the Mobile and St. Louis Transportation and Insurance Company ;

Mr. Deason, from the same committee, also, favorably to the bill—

To incorporate the Alabama Mining and Manufacturing Company ;

Which were read the third time, under the suspension of the constitutional rule, and passed.

Mr. Forney, from the committee on Corporations, reported favorably to the bill—

To incorporate the North Alabama Manufacturing Company ;

Which was read a third time, under a suspension of the constitutional rule and passed.

Yeas 16, nays 5.

YEAS—Messrs. President, Barnes, Bell, Castens, Deason, Edwards, Felder, Forney, Foster, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Norwood, Stansel, and Woodliff—16.

NAYS—Messrs. Ashley, Gage, Montgomery, Sykes and Wood—5.

Also, from the Judiciary committee, favorable to the House bill—

In relation to suits against joint obligors ;

Which was read a third time, under a suspension of the constitutional rule and passed.

Also, from the same committee, favorably to the bill—

To repeal section 1556 of the Code ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Also, from same committee, favorably to the Senate bill with amendments of the House—

For the allowance of offsets in certain cases where statute of limitations is pleaded ;

The amendments were concurred in.

Also, from same committee, adversely to the amendments of the House to the Senate bill ;

To declare judgments liens upon the property of defendants ;
The Senate disagreed to amendments.

Mr. Stansel, from same committee, favorably to the House bill—

To amend section 152 of the Code ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably, with an amendment, to the bill to authorize the Secretary of State to furnish books to the solicitor of of the 4th judicial circuit ;

The amendments were adopted ;

And the bill read a third time, under the suspension of the constitutional rule, and passed.

Mr. Edwards, from the Committee on Roads, Bridges and Ferries, reported favorably to the House bill—

To incorporate the Sipsey Bridge Company ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

Also, from the Committee on County Boundaries, the following report :

The Committee on County Bondaries have duly considered the House bill—

To detach from the county of Coosa, certain territory therein described and attach the same to the county of Shelby, and instruct me to report that the committee has no information from the bill referred what amount of territory is proposed to be transferred or the number of inhabitants embraced in such territory, nor is there any evidence before the committee of the desire of the citizens residing in such territory to be attached to Shelby county.

The rights of the citizens of the State in respect to their local relations are well guarded and should never be invaded, and the committee, as well as the two houses of the General Assembly, are restricted in their action in the matter of changing county lines to certain prescribed limits. In view of which, in this case, the committee report, that it is inexpedient to pass the bill.

W. H. EDWARDS, Chair'n.

The report of the committee was concurred in.

On motion of Mr. Castens,

The House bill—

To regulate the fees of officers in the counties of Russell and Bullock ;

Was taken from the table ;

And read a third time, under the suspension of the constitutional rule, and laid on the table.

Mr. Jackson of Morgan, moved to take from the general orders the House bill—

For the relief of W. D. Harper, late sheriff of Morgan county ;

Which was carried, and the bill read a third time and passed.

Mr. Barnes moved to suspend the consideration of the special orders to allow him to make a report from the Judiciary Committee.

In response to a resolution requesting the Judiciary Committee to inquire and report the terms for which the newly elected officers would hold their offices ;

Which carried,

And the report was concurred in.

Mr. Garrett moved to further suspend the consideration of the special orders, for the purpose of considering his motion to reconsider the vote rejecting the bill—

To regulate the terms of office for officers elected in their counties.

The motion to reconsider was put and lost.

Mr. Kilpatrick moved to take from the general orders the House bill—

For the relief of maimed indigent soldiers of Alabama ;

Which carried.

The bill was read a third time, and passed.

Yeas 30, nays 1.

YEAS—Messrs. President, Ashley, Barnes, Boykin, Bulger, Castens, Cooper, Deason, Drake, Edwards, Felder, Forney, Foster, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Kilpatrick, Lindsay, Montgomery, Moren, Norwood, Powell of Tuscaloosa, Stansel, Sykes, Winston, Wood, and Woodliff—30.

NAYS—Mr. Bell—1.

Mr. Kilpatrick moved to still further suspend ;

Which carried.

Mr. Kilpatrick moved to take from the House message the adjournment resolution ;

Which carried.

On motion of Mr. Powell of Tuscaloosa,

“4 o'clock” was stricken out.

On motion of Mr. Lindsay,

“Monday” was stricken out, and “Tuesday” inserted.

As amended, the Senate concurred in the House resolution.

On motion of Mr. Norwood,

The consideration of the House messages was further suspended, to take from the House messages the Senate bills, which were amended by the House.

The amendments of the House to the Senate bill—

To locate the county seat of Jackson county, and to build a court house and jail ;

Were concured in.

The House amendments to the Senate bill—

To divide the State into six Congressional districts,

Were concurred in.

The Senate disagreed to the amendments of the House to the Senate bill—

To provide for the just and legal distribution of the school fund for the years 1865 and 1866.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

To incorporate the Pensacola Railroad Contracting Company ;

To alter the boundary line between Dallas and Perry county, and to annex a portion of Perry to Dallas county ;

To prevent undecided appeals to the Supreme Court from losing their force by discontinuance after legal cause therefor has occurred ;

To allow Wm. L. Merriwether to put a gate across the Montgomery road in Montgomery county ;

To repeal an act to provide for the safe-keeping, distribution and exchange of the Supreme Court Reports, approved February 8, 1866 ;

To regulate the mode of purchasing fuel for the State ;

In relation to the employment of special clerical service for the State ;

To repeal an act to provide for the printing and distribution of the decisions of the Supreme Court, approved December 12, 1865 ;

In addition and supplementary to an act to authorize the Governor to settle with W. O. Winston of DeKalb county, approved Jan. 27, 1867 ;

Supplementary to an act to establish a system of Internal improvements in the State of Alabama ;

To establish a school for blind persons ;

To authorize Wm. H. Northington, as executor of John D.

Fralick, deceased, to purchase real and personal property for the use of said estate ;

To incorporate the Stafford Mills ;

To incorporate the town of Gadsden, in the county of Baine;

To incorporate the Barnett Manufacturing Company ;

In relation to the contingent fund.

The Senate bill—

To fix the pay of the reporter of the Supreme Court ;

Was amended by the House, with a substitute.

Mr. Garrett moved to strike out 2500 and insert 1500.

Mr. Moren moved a division of the question ;

Which carried.

The question then being on striking out, it was put and carried.

Mr. Garrett moved to fill the blank with 1800 ;

Which was lost.

Yeas 13 ; nays 14.

YEAS—Messrs. Bulger, Castens, Cooper, Drake, Edwards, Felder, Gage, Garrett, Jones, Montgomery, Sykes, Wood and Woodliff—13.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Forney, Huckabee, Jackson of Lauderdale, Kilpatrick, Lindsay, Moren, Norwood, Powell of Tuscaloosa, and Stansel—14.

Mr. Stansel moved to insert 2250 ;

Which was lost.

Yeas 9 ; nays 18.

YEAS—Messrs. President, Barnes, Felder, Forney, Jackson of Lauderdale, Kilpatrick, Lindsay, Norwood, and Stansel—9.

NAYS—Messrs. Ashley, Boykin, Bulger, Castens, Cooper, Drake, Edwards, Foster, Gage, Garrett, Huckabee, Jones, Montgomery, Moren, Powell of Tuscaloosa, Sykes, Wood and Woodliff—18.

On motion of Mr. Moren, the sum of \$2,000 was inserted.

Yeas 17 ; nays 10.

YEAS—Messrs. Ashley, Barnes, Cooper, Boykin, Felder, Forney, Foster, Gage, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Moren, Norwood, Powell of Tuscaloosa, and Stansel—17.

NAYS—Messrs. President, Bulger, Castens, Drake, Edwards, Garrett, Montgomery, Sykes, Wood and Woodliff—10.

Mr. Garrett moved to amend by adding to section 1, after 1866, as follows : “ And shall be credited with \$1200 already paid on his salary of 1866.”

The amendment was adopted and the Senate concurred in the substitute of the House as amended.

On motion by Mr. President,

The Senate adjourned until Monday morning half past nine o'clock.

MONDAY, February 18.

The Senate met pursuant to adjournment.

Upon the call of the Districts,

The following bills were introduced :

Mr. Garrett, a bill the more effectually to secure the remaining solvent or available assets of State banks and branches ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Barnes, a bill to enable tax payers of the State to pay their taxes ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Powell of Macon, from the Committee on Finance and Taxation, reported favorably, with amendments, to the House bill—

To establish a Board of Public Works for the State of Alabama ;

The amendment was adopted.

On motion of Mr. Drake, the further consideration of the bill was indefinitely postponed.

Yeas 18, nays 9.

YEAS—Messrs. President, Bell, Bulger, Castens, Drake, Edwards, Felder, Forney, Foster, Garrett, Huckabee, Jones, Moren, Norwood, Powell of Tuscaloosa, Sykes, Wood and Woodliff—18.

NAYS—Messrs. Ashley, Boykin, Cooper, Gage, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay and Powell of Macon—9.

Message from the House by Mr. Phelan :

Mr. President :

The House has originated and passed the following bills :

To authorize Wm. Kirkland to erect a dam across the Sucanotchie river, near the town of Livingston, in Sumter county ;

To make appropriations for the fiscal year ending 30th September, 1867 ;

Requiring the Comptroller to cancel certain appropriations ;

The House has passed the following Senate bills :

To increase the compensation of executors, administrators, guardians, and county court commissioners of Lauderdale county ;

To fix and establish the ratio and apportion representatives among the several counties of this State ;

To amend section 78 of the Code ;

To provide for the settlement of the accounts between the county of Elmore and the counties out of which it was formed ;

To authorize the court of probate of Montgomery county to appoint a special administrator on the estate of J. F. Bradford, deceased.

The House insists on its amendments to the Senate bill—

To provide for the just and legal distribution of the school fund for the year 1865 and 1866.

The House concurs in the Senate amendment to the House bill—

To fix the pay of the reporter of the decisions of the supreme court.

The House has amended and passed the Senate bill—

To fix the pay and mileage of the officers and members of the General Assembly.

The House concurs in the amendment of the Senate to the resolution of the House proposing to adjourn *sine die* on Tuesday, the 19th instant.

T. CLANTON, Clerk.

The House bill—

For the relief of St. Clair county ;

Was read a third time and passed.

By leave, Mr. Garrett introduced a bill to more effectually provide for the organization of Elmore county ;

Which was read three times under the suspension of the constitutional rule and passed.

The Senate refused to concur in the amendments of the House to the Senate bill to fix the pay and mileage of the officers and members of the General Assembly ;

Yeas 15 ; nays 16.

YEAS—Messrs. President, Barnes, Bell, Castens, Deason, Drake, Forney, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay, Montgomery, Norwood, Powell of Tuscaloosa, and Stansel—15.

NAYS—Messrs. Ashley, Boykin, Bulger, Cooper, Edwards, Felder, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Moren, Powell of Macon, Sykes, Winston and Woodliff—16.

The Senate bill to fix the meeting of the General Assembly ;

Was read a third time and passed.

The House bill—

To divide the State into twelve judicial circuits, and to fix the time for holding the courts therein ;

Was read twice, under a suspension of the constitutional rule.

Mr. President moved to strike out “two” for the time of holding the circuit court of Butler, and insert “three weeks”;

Adopted.

Mr. Gage moved to amend as to the time for holding the court in Mobile ;

Which was adopted, and the bill read a third time under the suspension of the constitutional rule and passed.

The Senate bill—

To apportion Senators among the several counties of the State, together with the amendment offered by Mr. Ashley, were recommitted to the Committee on Apportionment.

By leave, Mr. Garrett introduced a bill—

To amend an act entitled an act to change the name of the Coosa Manufacturing Company to the Bradford Manufacturing Company, approved December 12th, 1849.

By leave, Mr. Felder introduced a bill—

To incorporate the Montgomery Female College, in the county of Montgomery ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Garrett, from the Joint Committee, appointed to examine the offices of the Comptroller and Treasurer, under sections 34, 35 and 36 of the Code of Alabama, reported the following :

That owing to the advanced period of the session, in which the committee were charged with this duty, they have not been able to institute the thorough investigation contemplated by the Code. The examination of the books and papers of the Comptroller's office has been completed, and the accounts and vouchers for all warrants issued, found correct. No examination or comparison has been made of the receipts with the returns forwarded by tax collectors and other public officers, from the fact, that, with every diligence on the part of the committee, such examination could not be completed during the present session of the Legislature. An inspection of

the vouchers in the Comptroller's department, has developed the fact that officers receiving regular salaries from the State, have, in some instances, received extra allowances for services performed outside the routine of the ordinary duties. These allowances have not been of much magnitude, and were undoubtedly in compensation for services actually rendered; yet, the committee believing it wrong in principle, and calculated to encourage abuses prejudicial to the interests of the State, deem it their duty to express their disapprobation. The committee also find that large balances remain on the Comptroller's books to the credit of appropriations made in Confederate currency before the inauguration of the provisional government. In order to close the accounts, a bill is presented herewith, accompanied with the recommendation, that the same be passed. The committee also discover among the vouchers examined by them, those for the salary of a "keeper of the Capitol" whose most arduous duties consist in a quarterly visit to the treasury for the purpose of drawing his pay, which office the committee recommend should be abolished, and herewith present a bill for that purpose. Section 36 of the Code requires that the committee report whether the Comptroller has drawn any warrants without authority of law, specifying such as, in their opinion, were drawn without authority, and their reasons therefor. A certain class of expenditures appear to have been made during the last fiscal year, amounting to more than \$33,000 in payment for salaries of public officers and other items of indebtedness accruing before the inauguration of the provisional government, and payable, had the amounts been drawn when due, in Confederate currency. These payments are authorized by the Comptroller under the advice and opinion of the Attorney General as to the legal liability of the State.

The committee do not propose to question the legal conclusions of the Attorney General, but it is a matter of regret, that means were not taken to obtain a judicial decision from the Supreme Court of the State before recognizing expenditures of this character. The committee have also examined the books and vouchers of the Treasury Department, in part, and find the same to be correct. They have also counted the money in the Treasury and find the amount on hand, February 15th, 1867, to be by actual count \$107,361 55, on deposit. In Bank of Mobile \$41,449 08, making total of \$148,810 60—showing an overplus of \$197 91 over the balance shown by the books of the treasurer, which is \$148,612 72. All of

which is respectfully submitted, with the request, that the committee be discharged.

W. GARRETT,
E. H. MOREN,
J. M. JACKSON,

Committee on the part of the Senate.

F. B. CLARK,
B. E. BOULAND,
SAM'L LEEPER,

Committee on the part of the House.

The committee were discharged in compliance with their request.

The House bill—

Making appropriations for the fiscal year ending 30th September, 1867 ;

Was read twice under a suspension of the constitutional rule and referred to the Committee on Finance and Taxation.

The House bills—

To exempt from levy and sale certain property for the use of every family in this State ;

To increase the fees of the county officers of Washington county ;

To provide for the improvement of the Harbor, River and Bay of Mobile ;

For the relief of Emma Dillett Deshea, and the heirs of Hindman Barney, deceased ;

To amend section 1143 of the Code, so far as it relates to the county of Limestone ;

To remove the administration of the estate of Wm. V. Barney, deceased, from the county of Tallapoosa to the county of Macon ;

Were severally read a third time, under a suspension of the constitutional rule and passed.

The House bills—

To incorporate the Decatur and Gunterville Railroad Company ;

To authorize the Trustees of township one, range nine, East in Jackson county, to erect school houses ;

For the relief of Cornelia Ann Nall, of Choctaw county, and Elizabeth Norris, of Walker county, and Elizabeth Norris, of Marshall county ;

To amend an act to authorize the substitution of lost records of judgments and decrees of courts and other records ;

Were severally read three times, under a suspension of the constitutional rule and passed.

The Senate bill—

To extend the charter of the Mobile and Great Northern Railroad ;

Was read a third time and passed.

The House bill—

To provide for the location of the court house in Russell county ;

Was read a first time ;

And on motion, by Mr. Castens, its further consideration, was indefinitely postponed.

The House bill—

To provide the proper proof, when United States revenue stamps have been once placed on process, deed, or conveyances ;

Was read twice under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Message from the House of Representatives :

Mr. President :

The House has passed the following Senate bills—

To change the boundary lines between the counties of Baine, Blount and St. Clair.

To authorize the construction of street railroads in the city of Montgomery ;

To allow John W. Hughes, administrator of Chas. A. Clapp, deceased, to sell the interest of the said deceased, in the ferry, ferry landings and lands attached thereto, opposite the city of Montgomery ;

To allow Bolling Hall to establish a ferry across the Alabama river, opposite the city of Montgomery ;

For the relief of James Allen, of the county of DeKalb ;

To extend the charter of the Mobile and Girard Railroad Company ;

To more effectually provide for the organization of Elmore county.

The House insists upon its amendments of Senate bills—

To declare judgments liens upon the property of defendants ;

To fix the pay and mileage of the officers and members of the General Assembly.

Mr. President :

The House has originated and passed the following bill :

To abolish the office of keeper of the Capital.

The Senate insisted upon its disagreement to the House amendment to the Senate bill—

To declare judgments liens upon the property of defendants ;

And asked for a conference committee upon the matter of disagreement ;

Messrs. Lindsay, Barnes and Forney were appointed the committee on the part of the Senate.

The Senate also insisted upon its disagreement to the House amendment to the Senate bill—

To fix the pay and mileage of the officers and members of the General Assembly ;

And asked for a committee of conference ;

Messrs. Moren, Garrett, Powell of Tuscaloosa, Bulger, and Powell of Macon were appointed on the part of the Senate.

The House bill to lay off the State into six congressional districts,

Was read a first time, and laid on the table.

Mr. President moved to reconsider the vote by which the House bill—

To establish a board of public works for the the State of Alabama, was indefinitely postponed ;

Which was carried.

Yeas 14, nays 13.

YEAS—Messrs. Bell, Bulger, Drake, Edwards, Felder, Forney, Foster, Garrett, Jones, Montgomery, Norwood, Sykes, Woodliff and Wood—14.

NAYS—Messrs. President, Ashley, Barnes, Castens, Cooper, Gage, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Kilpatrick, Lindsay, Powell of Macon, Powell of Tuscaloosa, and Winston—13.

And the Senate refused to order the bill to a third reading.

Message from the House by Mr. Phelan :

Mr. President :

The House has agreed to the Senate's request for a committee of conference upon the matters of disagreement between the two Houses on the Senate bill—

To declare judgments liens upon the property of defendants ;

Messrs. McKinstry, Worthy and Mabry, are the committee on the part of the House.

The House also agrees to the request of the Senate to ap-

point a committee of conference upon the matters of disagreement between the two Houses upon the bill—

To fix the pay and mileage of the members and officers of the General Assembly ;

Messrs. Whitfield, Echols, Sheffield, and Waller, are the committee on the part of the House.

Mr. Ashley, from the select committee on apportionment, reported favorably to the bill—

To divide the State into senatorial districts.

Mr. Kilpatrick moved to amend so as to read “the second district, Clark, Washington and Baldwin; 12th district, Greene and Marengo ; 22d district, Hale and Tuscaloosa ; 10th district, Dallas and Wilcox ;”

Which was lost.

Mr. Kilpatrick moved to amend by striking out “Wilcox,” and inserting “Clark ;”

Which was adopted.

The amendment, as amended, was adopted,

And the bill read a third time, under the suspension of the constitutional rule, and passed.

The Senate insisted on its disagreement to the House amendment to the Senate bill—

To provide for the just and legal distribution of the school fund for the years 1865 and 1866,

And asked for a committee of conference on the matters of disagreement between the two Houses ;

Messrs. Sykes, Huckabee and Gage are the committee on the part of the Senate.

By leave, Mr. Bulger introduced a bill—

For the relief of John G. Winter, of Montgomery.

By leave, Mr. Powell of Macon introduced a bill—

To provide for a special term of the circuit court of Bullock county.

By leave, another bill to incorporate the Alabama Pioneer Mining and Manufacturing Company ;

Which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Bulger, from Select Committee, reported adversely to the House bill—

To provide for the election of the county treasurer of Elmore county by the people of said county ;

Which was concurred in.

The House bills—

To authorize Geo. H. Winston, of the State of Georgia, one

of the executors of the will of Wm. B. Gilmer, to execute the will in this State ;

To prohibit the holding of public markets, and trading therein, on Sunday ;

To authorize the commissioners court of the county of Jones to levy a special tax to build a court house and jail for said county ;

To incorporate the Grand Falls Manufacturing Company ;

To amend section 1642 of the Code of Alabama ;

To provide the mode of giving constructive notice of motion to enter satisfaction of judgment, or set aside such entries when the party has removed from, or reside out of the State ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill—

To amend an act to define the powers of justices of the peace in the counties of Dallas, Pickens, and other counties ;

Mr. Felder moved to amend by striking out “Montgomery and Tuscaloosa” ;

Which was adopted, and the bill read a third time, under a suspension of the constitutional rule, and passed.

On motion by Mr. Lindsay, the Senate adjourned until four o'clock, this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Deason, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to authorize the court of probate of Montgomery county to appoint a special administrator on the estate of Jacob T. Bradford, for the special purpose of prosecuting a suit pending in the circuit court of Montgomery county of said Jacob T. Bradford vs. Jno. G. Winter ;

To fix the pay of the reporter of the decisions of the supreme court ;

To create a new chancery district, and to regulate the holding of chancery courts in certain districts ;

To extend the corporate limits of the city of Montgomery ;

To appoint commissioners for the town of Warrington, in the county of Marshall ;

To define and extend the corporate limits of the city of Selma ;

An act in relation to the reports and decisions of the Supreme Court ;

To incorporate the Eureka Mining Company of Alabama ;

To remove the administration of the estate of Philip Weaver, jr., from the probate court of Marengo county to the probate court of Dallas county ;

To confer additional power on the city council of Montgomery ;

To amend an act entitled an act for the relief of defendants in judgments and decrees rendered since the 11th day of January, 1861.

Message from the House by Mr. Clanton :

Mr. President :

The House has passed the Senate bills :

To amend the charter of the town of Florence ;

To fix the pay of the county commissioners of Elmore county ;

To amend section 8 of an act entitled an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved 24th Feb., 1860 ;

To authorize the city of Montgomery to issue twenty-five thousand dollars to circulate as money ;

To incorporate the Manassas Club, of Mobile ;

To authorize the corporate authorities of Greensboro to levy and collect a special tax to provide a court house and jail for the county of Hale.

To amend an act to authorize the commissioners court of Chambers and Montgomery counties to issue treasury notes to pay the present indebtedness of said counties, to pay for the building of bridges, enlarging and repairing the court house and jail and for other purposes ;

To attach the counties of Baine, Cleburne and Clay to the 35th, 36th and 37th chancery district, Northern division ;

To incorporate the Montgomery Turner Verein (Montgomery Gymnasium) ;

For the relief of Jno. G. Winter ;

To authorize the Secretary of State to furnish books to the solicitors of the 4th and 12th judicial circuits ;

Regulating the manner of purchasing stationery for the State ;

To incorporate the Indian Hill Manufacturing company ;

To change the county lines between the counties of Crenshaw and Lowndes ;

For the relief of Samuel Henry, of Cherokee county ;

To require the Comptroller to furnish judges of probate with tax stamps, as therein provided.

T. CLANTON, Clerk.

Mr. Jackson of Morgan, from the Committee on Enrolled Bills, reported the following correctly enrolled :

To provide for the settlement of the accounts between the county of Elmore and the counties out of which it was formed ;

To extend the charter of the Mobile and Great Northern Railroad Company ;

To declare judgments liens upon the property of defendants ;

To change the boundary line between the counties of Baine, Blount and St. Clair ;

To fix and establish the ratio and apportion representatives among the several counties of this State ;

An act to divide the State into six congressional districts ;

A bill to be entitled an act to amend section 78 of the Code ;

An act to increase the compensation of executors, administrators, guardians and county court commissioners in Lauderdale county ;

An act to allow John W. Hughes, Administrator of Charles H. Clapp, deceased, to sell the interest of said deceased in the ferry and ferry landing, and land attached thereto, opposite the city of Montgomery, Alabama ;

An act for the allowance of offsets in certain cases where statute of limitations is pleaded ;

A bill to be entitled an act to allow Bolling Hall to establish a ferry across the Alabama river opposite the city of Montgomery, Alabama ;

To more effectually provide for the organization of Elmore county ;

An act to locate the county seat of Jackson county, and to build a county jail.

Message from the House by Mr. Phelan.

Mr. President :

The House has originated and passed the following bills :

For the relief of James P. Lull, Elias Steedman, and William Wakefield, of Walker county ;

To regulate the time of holding the circuit court in Walker county ;

The House concurs in the report of the Committee of Conference of the two Houses, proposing that the House recede from its amendment to the Senate bill ;

To declare judgments liens upon the property of defendants.

The House refuses to concur in the Senate amendment to the House bill—

To permanently exempt real and personal property from levy and sale under any legal process for the use of families in this State.

The Senate insisted on its amendment to the above bill.

The House bills—

To require the probate judges of this State to keep an account of the fees accruing to sheriffs ;

To give the probate court authority to grant guardians permission to hire labor and carry on the plantations of their wards ;

Supplemental to an act to incorporate the Coosa and Chattooga Railroad company, approved January 6, 1852 ;

Were severally read three times, under the suspension of the constitutional rule, and passed.

The House bills—

For the relief of widows and orphans in certain cases ;

To amend an act to authorize certain settlements in the probate courts of this State, approved December 9, 1861 ;

To amend an act for the relief of defendants in judgments rendered upon contracts made between the 1st of September, 1861, and 1st May, 1865 ;

Were severally read twice under the suspension of the constitutional rule and referred to the Judiciary Committee.

The House bills—

Establishing an agricultural college in this State ;

For the relief of Eddy Ann Henry, of Talladega county ;

To amend section 2510 of the Code ;

Were severally read twice, under a suspension of the constitutional rule, and laid on the table.

The House bill—

To increase the fees of civil officers in the county of Elmore ;

Was read twice, under a suspension of the constitutional rule, and referred to a select committee, composed of Messrs. Garrett, Bulger and Felder.

Message from the House by Mr. Phelan :

Mr. President :

The House insists on its amendment to the Senate bill—

To permanently exempt real and personal property from levy and sale for the use of every family in this State ;

And asks for a committee of conference upon the matter of disagreement ;

Messrs. Worthy, Morse and Ellis are the committee on the part of the House.

The House insists upon its amendment to the Senate bill—
To organize a chancery district out of certain counties therein named.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably to the bill—

To prevent the payment of claims against the State, unless an appropriation has been made for that purpose ;

Mr. Garrett moved to amend the bill by inserting after the word "character," in the seventh line, the words "existing prior to the 20th July, 1865 ;"

Which was adopted.

Mr. Barnes moved to lay the bill on the table ;

Which was lost.

Yeas 9 ; nays 14.

YEAS—Messrs. President, Barnes, Forney, Jackson of Lauderdale, Kilpatrick, Montgomery, Moren, Norwood, and Stansel 9.

NAYS—Messrs. Ashley, Bell, Bulger, Cooper, Deason, Edwards, Felder, Foster, Garrett, Jones, Lindsay, Powell of Macon, Powell of Tuscaloosa, Winston and Woodliff—14.

And the bill was read a third time, and passed.

The Senate receded from its amendment to the House bill—

To organize a chancery district out of certain counties therein named.

Mr. Garrett, from the Committee on Finance and Taxation, to which was referred the bill—

To enable the tax-payers of the State to pay their taxes, reported the following bills :

To provide for a temporary loan to the State ;

To provide for the issuing of certificates or receipts by the State ;

Which were severally read three times, under the suspension of the constitutional rule, and passed.

The House bill—

To enforce liens of judgments ;

Which was read three times under the suspension of the constitutional rule, and lost.

Yeas 9 ; nays 14.

YEAS—Messrs. Barnes, Bell, Felder, Forney, Jackson of Morgan, Lindsay, Montgomery, Moren, and Stansel—9.

NAYS—Messrs. Ashley, Boykin, Bulger, Castens, Cooper, Foster, Garrett, Jackson of Lauderdale, Jones, Kilpatrick, Norwood, Powell of Macon, Powell of Tuscaloosa, and Woodliff—14.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, reported favorably to the House bill—

To allow additional compensation to the probate judge of Wilcox county ;

Which was read a third time, under the suspension of the constitutional rule, and passed.

The House bills—

To divide the State into Senatorial districts ;

To provide the mode of vacating railroad charters in this State ;

Which were severally read twice under a suspension of the constitutional rule, and indefinitely postponed.

Message from the Governor by his private Secretary, Mr. Dixon :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

To establish a school for blind persons ;

To allow Wm. L. Merriwether to put a gate across the Montgomery road in Montgomery county ;

To repeal an act to provide for the safe-keeping, distribution and exchange of the Supreme Court Reports, approved February 8, 1866, and to regulate the safe-keeping, distribution and exchange of said reports ;

To regulate the mode of purchasing fuel for the State ;

To charter a ferry across Coosa River, at or near Cedar Bluff, in Cherokee county ;

In relation to the employment of special clerical services for the State ;

An act in addition and supplemental to an act entitled an act to authorize the Governor to settle with William O. Winston, of DeKalb county, approved January 27, 1867 ;

To alter the boundary line between Dallas and Perry counties, and to annex a portion of Perry to Dallas county ;

To prevent undecided appeals to the supreme court from losing their force of discontinuance or otherwise, unless the applicants move for a discontinuance after legal cause therefor has occurred ;

To repeal an act entitled an act to provide for the printing and distribution of the decisions of the Supreme Court, approved December 12, 1865 ;

To incorporate the Stafford Mills ;

To define and extend the corporate limits of the city of Selma ;

To extend the corporate limits of the city of Montgomery ;

To authorize the court of Probate of Montgomery county to appoint a special administrator on the estate of Jacob T. Bradford, for the special purpose of prosecuting a suit pending in the circuit court of Montgomery county of said Jacob T. Bradford vs. John G. Winter ;

In relation to the reports of decisions of the Supreme Court ;

To incorporate the Eureka Mining Company of Alabama ;

To confer additional powers on the city Council of Montgomery ;

To create a new chancery District called Colbert District, and to regulate the holding of chancery courts in certain districts ;

To remove the administration of the estate of Philip J. Weaver, Jr., from the probate court of Marengo county to the probate court of Dallas county ;

To amend an act entitled an act for the relief of defendants in judgments and decrees rendered since the 11th day of January, 1861 ;

To appoint commissioners for the town of Warrenton, in the county of Marshall ;

In relation to the contingent fund ;

To incorporate the Barnett Manufacturing Company ;

To authorize William H. Northington, as executor of John D. Fralick, deceased, to purchase real and personal property for the use of said estate ;

To incorporate the town of Gadsden, in the county of Baine ;

To allow Bolling Hall to establish a ferry across the Alabama river, opposite the city of Montgomery, Ala. ;

To allow John W. Hughes, administrator of Charles H. Clapp, deceased, to sell the interest of the said deceased in the ferry and ferry landings attached thereto, opposite the city of Montgomery, Ala.

SAMUEL H. DIXON,
Private Secretary.

The Senate then adjourned until 8 o'clock P. M.

NIGHT SESSION.

The Senate met pursuant to adjournment ;

And proceeded to consider the messages from the House ;

The Senate concurred in the House amendment to the Senate amendment to the House bill—

To provide pay for the grand and petit jurors, and court of county commissioners of the different counties of this State.

The House bills—

In relation to fences, the protection of crops and other property, in Sumter and Pickens counties ;

To authorize the commissioners court of Lee county to levy a special tax for the purposes therein named ;

To authorize the Secretary of State to issue a land patent to Alvin Ryland, of Coffee county ;

To relieve J. T. Potter, of Macon county ;

To incorporate the Washington Fire and Marine Insurance Company of Mobile ;

Requiring the Comptroller to cancel certain appropriations ;

To incorporate the Demopolis Fire and Marine Insurance company ;

To regulate the term and time of holding the circuit court in Lee county ;

To require the comptroller to furnish judges of probate with tax stamps as therein provided ;

For the relief of James P. Little, Elias Steedman and Wm. Wakefield, of Walker county ;

To authorize Wm. Kirkland to erect a dam across the Suar-notchee river, near the town of Livingston, in Sumter county,

For the relief of Samuel Henry, of Cherokee county ;

For the relief Thos. D. Garner, of Morgan county ;

To create a chancery district in the Southern Chancery Division, to be composed of the counties of Chambers and Lee ;

To incorporate the Marengo County Manufacturing Company ;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The House bills—

To change the boundary line between the counties of Dallas and Autauga ;

To declare Wm. A. Shaw a citizen of Macon county ;

To abolish the office of keeper of the Capitol ;

In relation to the inspection flour ;

Were severally read twice, under a suspension of the constitutional rule, and laid on the table.

The House joint resolution,

Approving the Southern University series of school books ;

Was read and tabled.

By leave, Mr. Barnes introduced a bill—

To authorize a consecutive numbering of the chancery districts in the different chancery divisions of the State ;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Jackson of Lauderdale, from the committee on enrolled bills, reported the following, as correctly enrolled :

To amend section 8 of an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved Feb. 24, 1860.

The Senate proceeded to consider the special orders, being the motion to reconsider the vote by which the House bill—

To establish a uniform and efficient system of public instruction, was indefinitely postponed ;

Which carried.

Yeas 12 ; nays 11.

YEAS—Messrs. President, Bulger, Edwards, Forney, Foster, Gage, Jackson of Morgan, Jones, Lindsay, Powell of Tuscaloosa, Winston and Woodliff—12.

NAYS—Messrs. Ashley, Barnes, Cooper, Drake, Felder, Huckabee, Jackson of Lauderdale, Kilpatrick, Moren, Norwood and Sykes—11.

Mr. Garrett moved to strike out \$3,000 as the salary of the State Superintendent, and insert \$2,000 ;

Which carried.

Mr. Lindsay moved to strike out “1867”, where it occurs as the time when the bill shall go into operation, and insert “1868” ;

Which carried.

Also, further to amend by striking out the tax on dogs ;

Which carried.

Mr. Jackson of Lauderdale, moved to lay the bill on the table ;

Which was lost.

Yeas 12 ; nays 13.

YEAS—Messrs. Ashley, Barnes, Cooper, Drake, Felder, Huckabee, Jackson of Lauderdale, Kilpatrick, Moren, Norwood, Stansel and Sykes—12.

NAYS—Messrs. President, Bulger, Edwards, Forney, Foster, Gage, Garrett, Jackson of Morgan, Jones, Lindsay, Powell of Tuscaloosa, Winston and Woodliff—13.

On motion by Mr. Jackson of Lauderdale, the Senate then adjourned until half-past 9 o'clock, to-morrow morning ;

Yeas 13 ; nays 12.

YEAS—Messrs. Barnes, Cooper, Felder, Foster, Garrett, Huckabee, Jackson of Lauderdale, Kilpatrick, Moren, Norwood, Powell of Tuscaloosa, Stansel and Sykes—13.

NAYS—Messrs. President, Ashley, Bulger, Drake, Edwards, Forney, Gage, Jackson of Morgan, Jones, Lindsay, Winston and Woodliff—12.

TUESDAY, February 19.

The Senate met pursuant to adjournment.

Mr. Jackson of Lauderdale, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to incorporate the Indian Hill Manufacturing Company ;

An act for the relief of James Allen, of the county of DeKalb ;

An act to authorize the city of Montgomery to issue twenty-five thousand dollars to circulate as money in change bills, of the denomination of from "one" to "five dollars", in lieu of the present outstanding mutilated issue of the city, legalized by an act of the General Assembly of Alabama, approved February 20, 1866 ;

An act to change the county lines between the counties of Chambers and Lee ;

Authorizing the construction of the city street railroad of Montgomery ;

An act to incorporate the Montgomery Turner Verien (Montgomery Gymnasium) ;

An act to fix the pay of the county commissioners of Elmore county.

The reading of the Journal was dispensed with.

Upon the call of the Districts, the following bills were introduced :

Mr. Felder, a bill to fix the time of holding the circuit court in the counties of Lowndes and Montgomery ;

Which was read three times under the suspension of the constitutional rule and passed ;

Also, a bill to authorize the holding of a chancery court in the county of Crenshaw.

Mr. Garrett, a bill—

To fix the time for holding the next spring term of the circuit court of Coosa county ;

Also, a bill—

Supplementary to the act establishing revenue laws for the State of Alabama ;

Which were severally read three times under the suspension of the constitutional rule and passed.

Mr. Cooper, from the Committee on the Judiciary, reported adversely to the House bill—

To change the time for holding the circuit court for Dallas county ;

The bill and report were laid on the table.

Mr. Powell of Tuscaloosa, from the Judiciary Committee, favorably to the bill—

To authorize judges of the circuit court to audit and adjust certain claims ;

Which was read a third time under the suspension of the constitutional rule and passed.

Mr. Powell, from the Committee on Internal Improvements, reported adversely to the resolution of the Senate instructing the committee to inquire into the expediency of the State aiding manufacturing companies ;

The report of the committee was concurred in.

Mr. Stansel, from the Judiciary Committee, reported adversely to the House bill—

To authorize the reconsideration of causes in the supreme court ;

The report was concurred in.

Also, from same committee, adversely to the joint resolution of the House—

In reference to the Tuscaloosa Science and Art Association.

Mr. Garrett moved to suspend the further consideration of these resolutions to allow him to make a report—

Which carried.

Mr. Garrett, from the Committee on Finance and Taxation, reported favorably with amendments to the House bill—

To make appropriations for the fiscal year ending 30th September, 1867.

The amendments were adopted, and the bill read a third time under the suspension of the constitutional rule and passed.

The Senate resumed the consideration of committee's report on joint resolution of the House ;

On motion of Mr. Lindsay—

The report was laid on the table—Yeas, 22 ; nays, 6.

YEAS—Messrs. President, Ashley, Bell, Boykin, Bulger, Castens, Cooper, Drake, Edwards, Felder, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Montgomery, Moren, Powell of Macon, Sykes, Winston, Wood and Woodliff—22.

NAYS—Messrs. Barnes, Forney, Jackson of Lauderdale, Jones, Kilpatrick, Lindsay and Stansel—6.

A motion was made to lay the resolution on the table ;

Which was lost.

Yeas 7; nays 21.

YEAS—Messrs. Forney, Jackson of Lauderdale, Jones, Lindsay, Norwood, Powell of Tuscaloosa, and Stansel—7.

NAYS—Messrs. President, Ashley, Bell, Boykin, Bulger,

Cooper, Drake, Edwards, Felder, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Montgomery, Moren, Powell of Macon, Sykes, Winston, Wood, and Woodliff—21.

Mr. Barnes moved to strike out the word resolved and insert enacted.

Mr. Garrett moved the previous question. The question being shall the main question be now put, was put and carried.

The question recurred upon the adoption of the resolution, which was put and the resolution adopted.

Yeas 18; nays 8.

YEAS—Messrs. President, Ashley, Bulger, Castens, Cooper, Felder, Foster, Gage, Garrett, Huckabee, Jackson of Morgan, Kilpatrick, Montgomery, Moren, Powell of Macon, Sykes, Wood and Woodliff—18.

NAYS—Messrs. Boykin, Drake, Forney, Jackson of Lauderdale, Jones, Lindsay, Powell of Tuscaloosa, and Stansel—8.

Mr. Sykes, from the Conference Committee, to which was referred the Senate bill—

To provide for the just and legal distribution of the school fund for the year 1865 and 1866,

Reported a substitute for the House bill, as amended by the Senate.

The report was concurred in.

By leave, Mr. Powell of Macon introduced a bill—

To add the county of Bullock to the thirteenth chancery district, and provide for holding the chancery court in the same;

Which was read three times, under the suspension of the constitutional rule, and passed.

Mr. Drake, from the Judiciary Committee, reported a substitute for the bill—

To authorize the Governor to settle with the lessees of the Penitentiary for repairs, and to purchase grounds for the use of the Penitentiary ;

Mr. Felder moved to strike out the second section of the substitute ;

Which carried.

And the substitute, as amended, was adopted.

The question being on ordering the bill to a third reading on to-morrow, it was put and carried.

On motion of Mr. Garrett,

The vote ordering the bill to a third reading on to-morrow was reconsidered.

On motion of Mr. Cooper,

The vote adopting the amendment of Mr. Felder was reconsidered. Yeas 16 ; nays 7.

YEAS—Messrs. Ashley, Boykin, Bulger, Castens, Cooper, Drake, Forney, Gage, Garrett, Huckabee, Jackson of Morgan, Montgomery, Moren, Powell of Tuscaloosa, Sykes, and Wood—16.

NAYS—Messrs. Bell, Edwards, Felder, Foster, Jackson of Lauderdale, Jones, and Stansel—7.

The question recurring on the adoption of Mr. Felder's amendment, it was put and lost.

Yeas 3; nays 20.

YEAS—Messrs. Edwards, Felder, and Foster—3.

NAYS—Messrs. Ashley, Bell, Boykin, Bulger, Castens, Cooper, Drake, Forney, Gage, Garrett, Huckabee, Jackson of Lauderdale, Jackson of Morgan, Jones, Montgomery, Moren, Powell of Tuscaloosa, Sykes, Wood and Woodliff—20.

The bill was read a third time, under the suspension of the constitutional rule, and passed.

The House joint resolution,

Inviting labor and capital to the State,

Was adopted.

By leave, Mr. Garrett, a bill to authorize C. M. Cabot and Thos. C. Smith, to establish a ferry across the Tallapoosa river ;

Was read three times, under the suspension of the constitutional rule, and passed.

Mr. Moren, from the Committee of Conference, on the part of the Senate and House, to which was referred the Senate bill (amended by the House) to fix the pay and mileage of the officers and members of the General Assembly, have had the same under consideration and instruct me herewith to report the bill back as amended by the House, and as amended recommend its passage.

E. H. MOREN,
W. GARRETT,
E. A. POWELL,
Senate Committee.
N. S. WHITFIELD,
J. W. ECHOLS,
J. H. MOORE,
House Committee.

The report was concurred in.

Message from the House by Mr. Phelan.

The House concurs on the amendment of the Conference Committee to the homestead bill.

T. CLANTON, Clerk.

The question being in concurring in the report of the committee just announced,

It was put and the Senate refused to concur.

Yeas 12, nays 14.

YEAS—Messrs. Barnes, Boykin, Bulger, Cooper, Drake, Edwards, Foster, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, and Woodliff—12.

NAYS—Messrs. President, Ashley, Castens, Felder, Forney, Garrett, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Montgomery, Powell of Tuscaloosa, Sykes, and Wood—14.

On motion of Mr. Garret, the vote by which the Senate refused to concur in the report was reconsidered.

Yeas 17 ; nays 11.

YEAS—Messrs. President, Barnes, Boykin, Bulger, Castens, Cooper, Drake, Edwards, Foster, Garrett, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, Powell of Tuscaloosa, Winston and Woodliff—17.

NAYS—Messrs. Felder, Forney, Gage, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Montgomery, Moren, Sykes, and Wood—11.

The question recurring on concurring in the report ;

It was put and carried.

Yeas 14 ; nays 15.

NAYS—Messrs. Barnes, Boykin, Bulger, Cooper, Drake, Edwards, Foster, Garrett, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, Winston, and Woodliff—14.

YEAS—Messrs. President, Ashley, Castens, Felder, Forney, Gage, Huckabee, Jackson of Lauderdale, Jones, Kilpatrick, Montgomery, Moren, Powell of Tuscaloosa, Sykes, and Wood—15.

Message from the House by Mr. Phelan.

Mr. President :

The House has passed the following bills :

To create a new chancery district in the Southern division ;

To compensate sheriffs and coroners of this State in cases levying attachments when the cases are settled or property replevied ;

To incorporate the North Alabama Manufacturing Company ;

To amend an act to change the name of Coosa Manufacturing Company to Bradford Manufacturing Company ;

Supplemental to act, establishing revenue laws ;

In relation to appeals from Judges of Probate ;

To authorize the clerk of the city court of Selma to issue such attachments as clerks of the circuit court of this State are authorized to issue ;

To fix the time of holding the circuit courts in the counties of Lowndes and Montgomery ;

To prevent the destruction of unclaimed freight, and to regulate the disposition thereof ;

To amend an act to incorporate the Chunnenuggee Female College of Macon county ;

To provide for the compensation of Thos. B. Williams, late judge of probate of the county of Morgan ;

To incorporate the Alabama Pioneer Mining and Manufacturing Company ;

To amend an act to establish the time of holding the regular annual assembly of the State of Alabama ;

To incorporate the Mobile Camel Company ;

To regulate the hiring of servants for the State.

The House has passed the following Senate bills :

To incorporate the Franklin Academy in Monroe county ;

To renew and continue in force an act to authorize the erection of a toll bridge over North River, in Tuscaloosa county, approved 4th February, 1846 ;

To authorize the removal of the administration of the estate of S. P. Baskin from the county of Pike to the county of Bullock ;

To authorize the commissioners court of the county of Bullock to issue treasury notes, for the purpose of building a court house and jail building, and for other county purposes ;

To amend section 97 of the Code ;

For relief of Levi Rills, jailor of Jackson county ;

To reorganize the Government Street Railroad Company, and extend the powers thereof ;

To define the powers of the commissioners court of Bullock county.

Mr. President :

House has passed Senate bills :

To declare the legal effect of deeds in which married women join with their husbands conveying the lands of their husbands ;

House recedes from its amendment to bill to authorize executors and administrators to rent land personally.

The House concurs in the amendment to the Senate bill reported by the Conference Committee—

To provide for the just and legal distribution of the school fund for the years 1865 and 1866. T. CLANTON, Clerk.

Message from the Governor by his private Secretary :

Mr. President :

The Governor has approved bills of the following titles, which originated in the Senate :

To locate the county site of Jackson county, and to build a courthouse and jail ;

To increase the compensation of executors, administrators, guardians and county court commissioners in Lauderdale county ;

For the allowance of offsets in certain cases where statute of limitations is pleaded ;

To amend section 78 of the Code ;

To organize a chancery district of certain counties therein named ;

To fix the pay of the reporter of the decisions of the supreme court ;

To more effectually provide for the organization of Elmore county ;

To regulate the fees of county officers ;

To amend section 8 of an act entitled an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved 24th February, 1866 ;

To extend the charter of the Mobile and Great Northern Railroad Company ;

To establish a system of internal improvements in the State of Alabama ;

Supplemental to an act to establish a system of internal improvements in the State of Alabama.

SAMUEL H. DIXON,
Private Secretary.

Mr. Jackson, from the Committee on Enrolled Bills, reported the following as correctly enrolled :

An act to amend the charter of the town of Florence ;

An act in relation to appeals from judges of probate ;

A bill to be entitled an act to declare the legal effect of deeds in which married women join with their husbands, conveying the lands of their said husbands ;

An act to amend section 97 of the Code ;

For the relief of Levi Pitts, jailor of Jackson county ;

An act to provide for the compensation of Thomas R. Williams, late judge of probate of the county of Morgan ;

An act to authorize the corporate authorities of the town of

Greensboro to levy and collect a special tax to provide a court-house and jail for the county of Hale ;

A bill to be entitled an act to incorporate the North Alabama Manufacturing Company ;

Relating to the disbursement of the school fund ;

An act to incorporate the Mobile Camel Company ;

An act to compensate sheriffs and coroners of this State in cases levying attachments, where the cases are settled, or property replevied

The Senate then adjourned until half-past 3 o'clock this afternoon.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

On motion by Mr. Bulger,

A second committee of conference was appointed to confer with a like committee on the part of the House, on the bill—

To exempt certain property from levy and sale ;

Messrs. Bulger, Garrett, and Powell of Macon, were appointed the committee on the part of the Senate.

Mr. Barnes, from the Judiciary Committee, reported favorably to the House bill—

To amend section 2206 of the Code ;

The bill was read a third time, under a suspension of the constitutional rule and passed.

On motion of Mr. Stansel,

The joint resolution of the House—

Approving the Southern University series of school books, Was taken from the table, read and adopted.

The House bill—

To create a new chancery district in the southern chancery division,

Was read three times, under the suspension of the constitutional rule, and passed.

On motion of Mr. Castens,

The House bill—

To regulate the fees of officers in the counties of Russell and Bullock,

Was taken from the table and passed.

Mr. Powell of Tuscaloosa, from the Committee on the Judiciary, reported adversely to the following bills :

The Senate bill—

To define the vagrant laws of this State.

The House bills—

To amend section 3055 of the Code ;
 To regulate the issuing of executions from the probate court
 in certain cases ;
 In relation to beat officers in this State ;
 To regulate and increase the fees of officers and jurors in the
 counties of Marengo, Greene, Perry and Sumter ;
 The report was concurred in.
 Also, from the Committee on the Rules of the Senate, ad-
 versely to the joint rules from the House—
 In reference to reporting and signing enrolled bills ;
 Which report was concurred in.

Message from the House by Mr. Phelan :

Mr. President :

The House agrees to a conference committee on the House
 bill—

To permanently exempt from levy and sale certain property.
 Messrs. Bethea, Pierce, Echols, Warren of Lawrence, and
 Raisler, are the House committee.

Mr. Garrett offered the following resolution :

Resolved, That the thanks of the Senate are due to the
 Hon. Walter H. Crenshaw, for the able, dignified and impar-
 tial manner in which he has presided over its deliberations
 during the session now about to a close ;

Which was unanimously adopted.

Mr. Powell of Macon, offered the following resolution :

Resolved, That the thanks of the Senate are justly due, and
 are hereby tendered to the secretary and his assistant for their
 diligent, faithful and prompt discharge of their duties.

Which was unanimously adopted ;

Also, the following resolution :

Resolved, That the thanks of the Senate are due and hereby
 tendered to the Reporters of the Mail and Advertiser, for their
 accurate reports of the proceedings of each day of the present
 session ;

Which were unanimously adopted.

On motion of Mr. Sykes,

Resolved, That the thanks of the Senate are due, and hereby
 tendered to Samuel Hutchinson, door-keeper ;

Also, to Sidney Phelan, page, for the faithful performance of
 their duties.

Mr. Bulger, from the committee of conference, reported fa-
 vorably, with amendment, to the House bill—

To exempt from levy and sale, certain property ;

The report was concurred in ;

Yeas 15, nays 15.

YEAS—Messrs. Barnes, Boykin, Bulger, Cooper, Drake, Edwards, Foster, Garrett, Jackson of Morgan, Lindsay, Norwood, Powell of Macon, Sykes, Winston, and Woodliff—15.

NAYS—Messrs. Ashley, Bell, Felder, Forney, Gage, Jackson of Lauderdale, Jones, Kilpatrick, Montgomery, Moren, Powell of Tuscaloosa, Stansel, and Wood—13.

Message from the House by Mr. Phelan :

Mr. President :

The House has passed the Senate bills—

To incorporate the Mobile and St. Louis Transportation and Insurance Company ;

To authorize W. L. Young of Washington county, to make a canal therein named, and authorize him to charge toll ;

To incorporate the Gadsden Real Estate and Building Association ;

To provide for the special term of the circuit court for Bulloch county ;

To provide for the collection of taxes in Perry county, for the payment of the tax on Real Estate, and for the relief of the tax assessor of said county ;

To establish a Ferry across the Tallapoosa river ;

To provide for a temporary loan to the State ;

To provide for the issuing of certificates or receipts for the State ;

To incorporate the Alabama Mining and Manufacturing Company ;

To divide the State into Senatorial Districts, and provide for the election of Senators to the General Assembly ;

To authorize the holding of a chancery court for the county of Crenshaw ;

In relation to the Penitentiary of this State ;

To incorporate the Selma Hebrew Association ;

To allow C. M. Cabot and Thomas C. Smith to establish a ferry across the Tallapoosa river.

T. CLANTON, Clerk.

Mr. Bulger offered joint resolutions in reference to our Federal relations.

On motion of Mr. Lindsay, the Senate resolved itself into the Committee of the Whole, for the purpose of considering the resolutions.

After remaining some time in Committee of the Whole, it arose, reported progress, and asked to be discharged from the further consideration of the subject before them.

A motion was made to lay the resolution on the table ;
Which was lost. Yeas 8 ; nays 13.

YEAS—Messrs. Bell, Cooper, Drake, Forney, Jackson of Lauderdale, Montgomery, Norwood and Stansel—8.

NAYS—Messrs. President, Ashley, Barnes, Boykin, Bulger, Gage, Garrett, Jones, Lindsay, Moren, Powell of Tuscaloosa, Winston and Wood—13.

Mr. Forney moved to postpone indefinitely the further consideration of the resolution ;

Which was lost. Yeas 4 ; nays 13.

YEAS—Messrs. Drake, Forney, Montgomery and Norwood—4.

NAYS—Messrs. President, Ashley, Boykin, Bulger, Edwards, Gage, Garrett, Jones, Powell of Tuscaloosa, Powell of Macon, Winston, Wood and Woodliff—13.

The question recurring on the adoption of the resolution, it was put and adopted. Yeas 14 ; nays 6.

YEAS—Messrs. President, Ashley, Boykin, Bulger, Cooper, Edwards, Gage, Garrett, Jones, Powell of Macon, Powell of Tuscaloosa, Winston, Wood and Woodliff—14.

NAYS—Messrs. Drake, Forney, Kilpatrick, Montgomery, Norwood and Stansel—6.

Messrs. Foster and Jackson of Morgan, reported the following bills correctly enrolled :

To divide the State into Senatorial districts ;

To reorganize the Government street railroad, and extend the powers thereof ;

To amend an act to change the name of the Coosa Manufacturing Company to the Bradford Manufacturing Company, approved December 12, 1849 ;

In relation to the penitentiary of this State ;

To allow Chas. M. Cabot and Thos. E. Smith to establish a ferry across the Tallapoosa river ;

To incorporate the Alabama Pioneer, Mining and Manufacturing Company ;

Supplemental to an act to establish revenue laws of the State of Alabama ;

To authorize the clerk of the city court of Selma to issue such attachments as clerks of the circuit courts of this State are authorized to issue ;

To authorize the Secretary of State to furnish books to the solicitors of the 4th and 12th judicial circuits ;

To fix the time of holding the time of the circuit court in the counties of Lowndes and Montgomery ;

To authorize executors and administrators to rent lands privately.

The Senate then adjourned informally, to await the message from the Governor.

Having had an intermission for some time,
Mr. President called the Senate to order.

Message from the Governor, by his Private Secretary, Mr. Dixon :

Mr. President :

The Governor has approved the following bills:

In relation to the penitentiary ;

To authorize C. M. Cabot and T. E. Smith to establish a ferry across the Tallapoosa river ;

For the relief of James Allen ;

To amend an act to establish the regular annual meeting of the General Assembly ;

To authorize executors and administrators to rent lands privately ;

To regulate the hiring of servants for the State ;

To amend section 97 of the Code ;

To authorize the corporate authorities of Greensboro to levy a special tax for Hale county ;

To provide for the issuing of certificates or receipts by the State ;

To incorporate the Mobile and St. Louis Transportation and Insurance company ;

To incorporate the Franklin Academy, in Monroe county ;

To increase the pay of the members of the commissioners court of Montgomery county ;

In relation to appeals from probate judges ;

To organize the Government Street Railroad company ;

To amend an act entitled an act to change the name of Coosa Manufacturing company ;

To declare the legal effect of deeds, in which married women join with their husbands, conveying the lands of their said husbands ;

To incorporate the Alabama Pioneer Mining and Manufacturing company ;

To provide for the special term of the circuit court for Bullock county ;

To incorporate the Selma Hebrew Association ;

To fix the time of holding the circuit court in the counties of Lowndes and Montgomery ;

To authorize the commissioners court of the county of Bullock to issue treasury notes, for the purpose of building a court house and jail, building and repairing bridges, and for other county purposes ;

To incorporate the Gadsden Real Estate and Building Association ;

To extend the charter of the Mobile and Great Northern Railroad ;

For the relief of James Gober, of Franklin county ;

To incorporate the Alabama Mining and Manufacturing Company ;

To authorize W. L. Young of Washington county, to make a canal and to authorize him to charge toll ;

For the collection of taxes in Perry county, and for the relief of the tax assessor of said county ;

To provide for the permanent location of the court house of Choctaw county ;

To fix the time of holding the next spring term of the circuit court of Coosa county ;

To amend section 8 of an act entitled an act to regulate the agencies of Insurance companies not incorporated by this State, approved 24th February, 1860.

To incorporate the Turner Verein (Montgomery Gymnasium ;)

To authorize the city of Montgomery to issue \$25,000 to circulate as money in lieu of the present outstanding mutilated issue of the city ;

To change the county lines between the counties of Chambers and Lee ;

To provide for the settlement of the account between the counties of Elmore and the counties of which it was formed ;

To fix the pay of the county commissioners of Elmore county ;

To incorporate the Indian Hill Manufacturing Company ;

To increase the compensation of executors, administrators, guardians and county court commissioners in Lauderdale county ;

For the allowance of offsets in certain cases where the statute of limitations is pleaded ;

To fix and establish the rates of and apportion representatives among the several counties of this State ;

To declare judgments liens upon the property of defendants ;

To authorize the clerk of the city court of Selma to issue

such attachments as clerks of the circuit courts of this State as are authorized by law ;

Establishing revenue laws of the State of Alabama ;

To authorize the Secretary of State to furnish books to the solicitors of the 4th and 12th judicial circuit ;

To amend the charter of the town of Selma ;

For the compensation of Thos. R. Williams, late judge of probate of the county of Morgan ;

For the relief of Levi Pitts, jailor of Jackson county ;

To authorize the holding of a chancery court for the county of Crenshaw ;

To change the boundary line between the counties of Baine, Blount and St. Clair ;

To divide the State into Senatorial districts, and provide for the election of Senators to the General Assembly ;

To fix the pay of the officers and members of the General Assembly ;

To define the powers of the commissioners court of Bullock county ;

To provide for a temporary loan for the State ;

To divide the State into six Congressional districts ;

To amend section 78 of the Code ;

To organize a chancery district of certain counties therein named ;

To fix the pay of the Reporter of the decisions of the Supreme Court ;

To more effectually provide for the organization of Elmore county ;

To revive and continue in force an act to authorize the erection of a toll bridge over North River, in Tuscaloosa county, approved Feb. 4, 1846 ;

To prevent the destruction of unclaimed freights and to regulate the disposition thereof ;

To incorporate the Mobile Camel Company ;

To compensate sheriffs and coroners of this State in cases of levying attachments where the cases are settled, or the property replevied ;

Regulating the manner of purchasing stationery for the State ;

To authorize the construction of street railroads in the city of Montgomery ;

To amend an act to authorize the commissioners court of Chambers and Montgomery counties to issue treasury notes to pay the present indebtedness of said counties, to pay for the

building of bridges, enlarging and repairing the court house and jail, and for other purposes ;

To incorporate the North Alabama Manufacturing Company.

SAML. H. DIXON, Private Secretary.

On motion of Mr. Moren,

Resolved, That a joint committee of three be appointed on the part of each House to wait upon the Governor, and inform him that the two Houses have finished the business before them and are now ready to adjourn *sine die*, unless he had some further communication to make.

Messrs. Moren, Bulger, and Powell of Tuscaloosa were appointed on the part of the Senate.

Mr. Moren, from the committee appointed to wait upon the Governor, reported,

That the Governor had no further communication to make, and His Excellency took this occasion to return his sincere thanks for the kindness and courtesy extended to him by both branches of the General Assembly.

Mr. Sykes moved that the Senate do now adjourn,

Pending the consideration of which,

Mr. President arose and said :

SENATORS : The hour for our separation has arrived. But before I pronounce this Senate adjourned, permit me to indulge in a few reflections.

You were selected for your firmness, intelligence, and legislative capacity, to initiate a system of measures adapted to the situation in which we were placed by the disastrous termination of the struggle for Southern independence. Whether or no we have discharged this self-imposed but responsible duty *well*, remains for the future to determine.

Our time-honored system of labor had been swept from us. This change was so sudden and so radical, that it has left our people much embarrassed, and crippled their energies and resources. In addition to this, the bad seasons of the past year have resulted in a failure of the crops, causing great destitution in the land. We have endeavored by legislation to mitigate some of the evils thus overwhelming our people by passing such measures of relief as we were able to do under the provisions of the constitution. Our capitalists, too, are turning their attention to the development of the manufacturing, mineral, and mining resources of the country, thus giving employment to many of the needy. Many railroad companies

have also been organized to facilitate the wants of commerce by affording more ready means of transportation. And a liberal system of internal improvements has been inaugurated by the State, which, while it will foster and aid these new enterprises, is established upon a basis of perfect security to the State. So that with all of our embarrassments and losses, we will still prosper and grow great as a people, if we are permitted *quietly* to build up our ruined fortunes.

There is, however, gloom and apprehension resting upon the future. Our political horizon is overcast with a dark cloud—we know not how soon it may pour its vials of wrath upon us; we know not what fate is in store for us. But let us not despond, nor give up in despair. Let us perform all of our duties as good citizens; and then, having deserved well, we may have bright hopes that the Ruler of the Universe will not permit us to be visited with more afflictions.

We are about to part—perhaps forever. How sad the thought! Ties of affection have been formed in this chamber which will bind us together in after life through good and through evil report. And I can congratulate you upon the fact, that no previous Senate has ever maintained throughout such kind feelings one toward another.

A few words personal to myself, and I will conclude. In the discharge of the duties of the position, which you so kindly trusted in my hands, it has been my earnest endeavor to give satisfaction to all—to give just cause of offence to none. And it is a source of gratification to me to have the assurance given in the resolution now on my desk, that my efforts to discharge my duty have met with your approbation. For this manifestation of your approval, I tender you my sincere and heartfelt thanks.

I now bid you all an affectionate *farewell*, and pronounce this Senate adjourned *sine die*.

The Senate then adjourned *sine die*.

WALTER H. CRENSHAW,

President of the Senate.

Attest :

WM. H. GARRETT,

Secretary of the Senate.